

# SENATE JOURNAL

—1983—

VOLUME 2

FIRST, SECOND AND THIRD SPECIAL SESSIONS  
OF THE

FORTY-EIGHTH LEGISLATURE

STATE OF WASHINGTON

AT

OLYMPIA, the State Capitol

1983 First Special Session  
Convened April 25, 1983  
Adjourned Sine Die May 24, 1983

1983 Second Special Session  
Convened May 25, 1983  
Adjourned Sine Die May 25, 1983

1983 Third Special Session  
Convened September 10, 1983  
Adjourned Sine Die September 10, 1983

Compiled, Edited and Indexed by  
SID SNYDER, *Secretary of the Senate*



MARY WILEY  
*Minute and Journal Clerk*

---

JOHN A. CHERBERG, *President of the Senate*  
H. A. "BARNEY" GOLTZ, *President Pro Tempore*  
A. L. "SLIM" RASMUSSEN, *Vice President Pro Tempore*

## SENATE CAUCUS OFFICERS

### DEMOCRATIC CAUCUS

*Majority Leader* ..... R. TED BOTTIGER  
*Chairman* ..... GEORGE FLEMING  
*Assistant Majority Leader* ..... A. N. "BUD" SHINPOCH  
*Vice Chairman* ..... R. LORRAINE WOJAHN  
*Majority Whip* ..... LARRY VOGNILD  
*Secretary* ..... DIANNE WOODY

### REPUBLICAN CAUCUS

*Minority Leader* ..... JEANNETTE HAYNER  
*Chairman* ..... JOHN D. JONES  
*Republican Floor Leader* ..... GEORGE W. CLARKE  
*Republican Whip* ..... ALAN BLUECHEL  
*Vice Chairman* ..... ALEX A. DECCIO  
*Asst. Republican Floor Leader* ..... IRVING NEWHOUSE  
*Assistant Whip* ..... HAL ZIMMERMAN

---

---

*Assistant Secretary* ..... BILL GLEASON  
*Sergeant at Arms* ..... O. F. "OLE" SCARPELLI  
*Secretary to the Secretary* ..... NYLA WOOD  
*Reader* ..... VERNE SAWYER  
*Minute and Journal Clerk* ..... MARY WILEY



**JOURNAL OF THE SENATE  
STATE OF WASHINGTON  
1983 1ST SPECIAL SESSION  
FORTY-EIGHTH LEGISLATURE**

FIRST DAY

---

NOON SESSION

---

Senate Chamber, Olympia, Monday, April 25, 1983

The Senate was called to order at 12:00 noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Craswell, Haley, Hemstad, Kiskaddon, Lee, Moore, Pullen, Quigg and Sellar. On motion of Senator McCaslin, Senator Craswell was excused. On motion of Senator Bluechel, Senators Haley, Hemstad, Kiskaddon, Lee, Pullen, Quigg and Sellar were excused.

The Sergeant at Arms Color Guard, consisting of Pages Debbie Lindberg and Andrew Anderson, presented the Colors. Reverend Charles Loyer, retired pastor of Westminster United Presbyterian Church of Olympia, offered the prayer.

MESSAGE FROM THE GOVERNOR  
PROCLAMATION BY THE GOVERNOR

The Washington State Legislature has all but concluded the 1983 Regular Session without finishing its essential tasks. It is therefore necessary for me to convene the legislature in extraordinary session for the purpose of addressing only the following:

- The state budget and budget-related items
- Revenues to support the budget
- The Washington Public Power Supply System
- Bills in dispute
- Gubernatorial appointments

NOW, THEREFORE, I, John Spellman, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the State Constitution, do hereby convene the Washington State Legislature in extraordinary (special) session for a period not to exceed thirty days in the Capitol at Olympia at 12:00 noon on April 25, 1983.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 24th day of April, A.D. nineteen hundred and eighty-three.

(Washington State Seal)

JOHN SPELLMAN,  
Governor of Washington

By the Governor  
RALPH MUNRO  
Secretary of State

PARLIAMENTARY INQUIRY

Senator Bottiger: "Mr. President, in his proclamation, the Governor lists those subject areas to be considered by the Legislature and states that the first special session shall not last longer than thirty days. My point of inquiry is, may the Governor limit this Senate to subject and/or time?"

## REPLY BY THE PRESIDENT

President Cherberg: "Senator Bottiger, Article II, Section 12 of our State Constitution, as amended by the 68th Amendment, provides that special legislative sessions may be convened for a period of time not more than thirty consecutive days by a proclamation of the Governor. It also provides that the resolution concerning the legislature shall specify purpose or purposes for the convening of the special session and notes that specification of purpose shall be considered by the legislature, but shall not be mandatory.

"In answer to your point of parliamentary inquiry, the President would rule that in accordance with the State Constitution, the Governor may not limit the subject matter this body may consider and may not restrict the legislature's time to act to less than thirty days given to the legislature by the Constitution."

## MOTION

On motion of Senator Bottiger, the Senate advanced to the eighth order of business.

## MOTION

On motion of Senator Bottiger, the following resolution was adopted:

## SENATE RESOLUTION 1983-66

by Senators Bottiger, Fleming, Hayner and Jones

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

## APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Bender, Barr and Rinehart as a committee of three under the provisions of Senate Resolution 1983-66 to notify the House that the Senate is organized and ready to transact business.

## MOTION

On motion of Senator Bottiger, the committee appointments were confirmed.

## MOTION

On motion of Senator Bottiger, the following resolution was adopted:

## SENATE RESOLUTION 1983-65

by Senators Bottiger, Fleming, Hayner and Jones

WHEREAS, The offices of the Senate were filled by competent persons during the Forty-eighth, 1983, Regular Session of the legislature; and

WHEREAS, These officers served in a distinguished and satisfactory manner; and

WHEREAS, The standing committees of the Senate were formed and operated properly and efficiently during the Forty-eighth, 1983, Regular Session of the Legislature;

NOW, THEREFORE, BE IT RESOLVED, That said officers, committee chairmen and committee members of the said regular session shall constitute the officers and committees of the 1983 Special Session of the Forty-eighth Legislature.

## MOTION

Senator Bottiger moved adoption of the following resolution:

## SENATE RESOLUTION 1983-67

by Senators Bottiger, Fleming, Vognild, Jones, Clarke and Hayner

BE IT RESOLVED, That the Senate Rules be amended as follows:

"RULE 28. Any senator shall have the right to compare an enrolled bill with the engrossed bill (~~before the president signs the same~~) and may note any objections in the Journal."

Debate ensued.

## POINT OF ORDER

Senator Newhouse: "I suggest that the member was not addressing the resolution in question."

## REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "Mr. President, speaking on the point of order, and asking Senator Goltz to keep his ears open and not fall asleep again, the point of order is poorly taken, because Senator McDermott is speaking about why the bill should not be deleted. I might say that by listening to the Governor on the radio today that he is sitting down there pouting and saying that we should get rid of, not only the leaders of the legislature but the whole legislature, and he can do it better. That is the same attitude that Senator McDermott is pointing out that we do need this rule, and the Governor thinks we do not need the legislature, but that is a matter of opinion.

"I find it very strange that you would raise the point of order, Senator Newhouse, when Senator McDermott was trying to point out why you should not delete the rules."

Senator Rasmussen demanded a roll call and it was sustained.

The President declared the question before the Senate to be the roll call on final passage of Senate Resolution 1983-67.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Resolution 1983-67 and the resolution passed the Senate by the following vote: Yeas, 24; nays, 16; absent, 01; excused, 08.

Voting yea: Senators Barr, Benitz, Bluechel, Bottiger, Clarke, Deccio, Fleming, Fuller, Goltz, Guess, Hansen, Hayner, Jones, McCaslin, McManus, Newhouse, Owen, Peterson, Shinpoch, Talmadge, Thompson, Vognild, Woody, Zimmerman - 24.

Voting nay: Senators Bauer, Bender, Conner, Gaspard, Granlund, Hughes, Hurley, McDermott, Metcalf, Patterson, Rasmussen, Rinehart, von Reichbauer, Warnke, Williams, Wojahn - 16.

Absent: Senator Moore - 1.

Excused: Senators Craswell, Haley, Hemstad, Kiskaddon, Lee, Pullen, Quigg, Sellar - 8.

SENATE RESOLUTION NO. 1983-67, having received the constitutional majority was declared passed.

## REPORT OF SPECIAL COMMITTEE

The special committee consisting of Senators Bender, Barr and Rinehart appeared before the bar of the Senate. Under the provisions of Senate Resolution 1983-66, the House was notified that the Senate is organized and ready to transact business.

The report was received and the committee was discharged.

## COMMITTEE FROM THE HOUSE

A committee from the House of Representatives consisting of Representatives Fisher, Mitchell, and Kreidler appeared before the bar of the Senate to notify the Senate the House of Representatives was organized and ready to transact business.

The report was received and the committee retired to the House of Representatives.

There being no objection, the President reverted the Senate to the fourth order of business.

## MESSAGES FROM THE HOUSE

April 25, 1983

Mr. President:

The House has adopted HOUSE CONCURRENT RESOLUTION NO. 21, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

April 25, 1983

Mr. President:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 22.

HOUSE CONCURRENT RESOLUTION NO. 23, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Shinpoch, the Senate advanced to the fifth order of business.

#### INTRODUCTION AND FIRST READING OF HOUSE BILL

HCR 21 by Representatives Heck and G. Nelson

Notifying Governor that Legislature is organized.

#### MOTIONS

On motion of Senator Bottiger, the rules were suspended, House Concurrent Resolution No. 21 was advanced to second reading and read the second time.

On motion of Senator Bottiger, the rules were suspended, House Concurrent Resolution No. 21 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Wojahn, Hayner and Hurley as a committee of three to join with a like committee from the House of Representatives under the provisions of House Concurrent Resolution No. 21 to notify the Governor that the Legislature is organized.

#### MOTION

On motion of Senator Bottiger, the committee appointments were confirmed.

At 12:34 p.m., there being no objection, the President declared the Senate to be at ease.

The President called the Senate to order at 12:39 p.m.

#### REPORT OF SPECIAL COMMITTEE

The special committee consisting of Senators Wojahn, Hayner, and Hurley appeared before the bar of the Senate. Under the provisions of House Concurrent Resolution No. 21, the Governor was notified that the Legislature is organized and ready to do business.

The report was received and the committee was discharged.

#### INTRODUCTION AND FIRST READING OF HOUSE BILL

HCR 22 by Representatives Heck and G. Nelson

Reintroducing bills for the 1983 First Special Session.

#### MOTIONS

On motion of Senator Shinpoch, the rules were suspended, House Concurrent Resolution No. 22 was advanced to second reading and read the second time.

On motion of Senator Shinpoch, the rules were suspended, House Concurrent Resolution No. 22 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

#### POINT OF INQUIRY

Senator Newhouse: "Senator Bottiger, I have one procedural question. Say, that the measure when it first came to, for instance to this body from the House, and was amended here--if we bring it to its highest order that it might have received here, it might be on third reading, do we again put on those second reading amendments?"

Senator Bottiger: "Senator, that is a good question. It would go to its highest origin in the form that it came from the House. If there was a Senate amendment, it would go to second reading, so that the Senate amendment could be placed there."

The President declared the question before the Senate to be adoption of House Concurrent Resolution No. 22.

The motion by Senator Shinpoch carried and the resolution was adopted.

#### INTRODUCTION AND FIRST READING OF HOUSE BILL

HCR 23 by Representatives Heck and G. Nelson

Limiting reintroductions for the 1983 First Special Session.

#### MOTIONS

On motion of Senator Shinpoch, the rules were suspended, House Concurrent Resolution No. 23 was advanced to second reading and read the second time.

On motion of Senator Shinpoch, the rules were suspended, House Concurrent Resolution No. 23 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

#### POINT OF INQUIRY

Senator Rasmussen: "Senator Bottiger, I see no mention in here of the SeaFirst Bank bill. In the event that the court would declare it unconstitutional because it was not signed into law prior to the ending of the regular session of the Legislature, would you have to amend this concurrent resolution?"

Senator Bottiger: "Senator, you would. I sure hope that we are not here long enough for a court to have gone through the whole process to declare anything unconstitutional."

Senator Rasmussen: "You don't have much confidence in the courts."

The President declared the question before the Senate to be adoption of House Concurrent Resolution No. 23.

The motion by Senator Shinpoch carried and the resolution was adopted.

#### MOTION

At 12:50 p.m., on motion of Senator Shinpoch the Senate recessed until 2:15 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 2:15 p.m.

#### MOTION

On motion of Senator Shinpoch, the Senate advanced to the sixth order of business.

#### SECOND READING

SENATE BILL NO. 3722, by Senator Hughes

Relating to hazardous waste.

#### MOTIONS

On motion of Senator Hughes, Second Substitute Senate Bill No. 3722 was substituted for Senate Bill No. 3722 and the substitute bill was placed on second reading and read the second time.

On motion of Senator Hughes, the rules were suspended, Second Substitute Senate Bill No. 3722 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Rasmussen: "Senator Hughes, I need a little more information. For instance, on the last line, it relates to servicing railroad equipment, boats and motor vehicles. Now, would a little boat shop--boat repairs or marinas--be subjected to a one hundred dollar fee?"

Senator Hughes: "Based on the waste generated, Senator Rasmussen, the Department will assess up to one hundred dollars. It may well be that they will be totally exempt. It will be based on a formula developed by the Department to assess the waste generated by that particular company or facility. The maximum they would be taxed would be one hundred dollars."

Senator Rasmussen: "Each little repair shop, garage, anyone of the numerous small businesses, because they do generate waste, even though they put it in the local garbage can, would be subject to the fee of up to one hundred dollars?"

Senator Hughes: "Well, there are other provisions in the bill that state that if they are involved, themselves, in waste reduction, the Department shall take that into consideration. This is permissive and not mandatory, Senator, so it may well be that many of these facilities will receive no assessment. But, if they are generating waste and they are not attempting waste reduction, then they could be, theoretically, taxed up to the maximum of one hundred dollars. There is discretionary judgment on the part of the Department and I'll say it again, I think one of the key questions is whether we can even do this. Most people believe that the federal language is quite preemptive and that we can not do this, but it is the preference of the majority of the members of the Parks and Ecology Committee and the Ways and Means Committee, that it would be more fair to assess generators of waste rather than the general public.

"I think if you are concerned about a fear of the Department going in and harassing every little garage at a maximum fine of one hundred dollars, there is no reason to believe that will be the actuality. The Department says they will base their fee based on the waste generation and the role that facility plays in waste reduction."

Further debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Second Substitute Senate Bill No. 3722.

#### ROLL CALL

The Secretary called the roll on final passage of Second Substitute Senate Bill No. 3722, and the bill passed the Senate by the following vote: Yeas, 33; nays, 08; absent, 01; excused, 07.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Hayner, Hemstad, Hughes, Hurley, Jones, McDermott, McManus, Owen, Patterson, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognilid, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 33.

Voting nay: Senators Barr, Benitz, Guess, Hansen, McCaslin, Metcalf, Moore, Rasmussen - 8.  
Absent: Senator Newhouse - 1.

Excused: Senators Craswell, Haley, Kiskaddon, Lee, Pullen, Quigg, Sellar - 7.

SECOND SUBSTITUTE SENATE BILL NO. 3722, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 4245, by Committee on Parks and Ecology (originally sponsored by Senators Goltz, Kiskaddon, Hurley and Williams)

Revising provisions relating to hazardous waste management.

#### MOTION

On motion of Senator Hughes, the rules were suspended, Substitute Senate Bill No. 4245 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 4245.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 4245, and the bill passed the Senate by the following vote: Yeas, 41; nays, 00; absent, 01; excused, 07.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, McCaslin, McDermott, McManus, Metcalf, Moore, Owen, Patterson, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognilid, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 41.

Absent: Senator Newhouse - 1.

Excused: Senators Craswell, Haley, Kiskaddon, Lee, Pullen, Quigg, Sellar - 7.

SUBSTITUTE SENATE BILL No. 4245, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Senator Shinpoch, the Senate advanced to the seventh order of business.

## THIRD READING

ENGROSSED SENATE BILL NO. 3519, by Senators Thompson, Zimmerman and Bauer (by Governor Spellman request)

Increasing state power to repair damage from the eruption of Mount St. Helens.

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

Debate ensued.

## MOTION

On motion of Senator Vognild, Senator Hughes was excused.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3519.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Bill No. 3519, and the bill passed the Senate by the following vote: Yeas, 36; nays, 05; absent, 00; excused, 08.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Hansen, Hayner, Hemstad, Hurley, Jones, McCaslin, McDermott, McManus, Moore, Newhouse, Owen, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Woody, Zimmerman - 36.

Voting nay: Senators Metcalf, Patterson, Rasmussen, von Reichbauer, Wojahn - 5.

Excused: Senators Craswell, Haley, Hughes, Kiskaddon, Lee, Pullen, Quigg, Sellar - 8.

ENGROSSED SENATE BILL NO. 3519, having received the 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

SECOND SUBSTITUTE SENATE BILL NO. 3272, by Committee on Ways and Means (originally sponsored by Senators Thompson, Zimmerman, Bauer and Talmadge)

Establishing the Coroner's System Improvement Act.

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

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Second Substitute Senate Bill No. 3272.

## ROLL CALL

The Secretary called the roll on final passage of Second Substitute Senate Bill No. 3272, and the bill passed the Senate by the following vote: Yeas, 33; nays, 05; absent, 03; excused, 08.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Fleming, Gaspard, Goltz, Granlund, Guess, Haley, Hayner, Hemstad, Hurley, Jones, McDermott, McManus, Metcalf, Moore, Owen, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 33.

Voting nay: Senators McCaslin, Newhouse, Patterson, Rasmussen, von Reichbauer - 5.

Absent: Senators Benitz, Deccio, Fuller - 3.

Excused: Senators Craswell, Hansen, Hughes, Kiskaddon, Lee, Pullen, Quigg, Sellar - 8.

SECOND SUBSTITUTE SENATE BILL NO. 3272, having received the 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 SENATE BILL NO. 3507, by Senators Hurley, Talmadge, Warnke and Hughes

Modifying provisions relating to gubernatorial appointments.

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

## POINT OF ORDER

Senator Newhouse: "Mr. President, the resolution by which we limited the activities of this session mentioned the confirmation of gubernatorial appointments, but I would challenge this bill as being beyond the scope of our resolution."

## REMARKS BY SENATOR BOTTIGER

Senator Bottiger: "Mr. President, I should have mentioned these are all bills in dispute between the House and the Senate. If anybody finds in the contrary, let me know."

## PARLIAMENTARY INQUIRY

Senator Metcalf: "A point of parliamentary inquiry. Now, we are passing Senate Bill No. 3507, so the House amendments that are in our book are not attached at this time. Is that right? We are just passing the original Senate Bill?"

## REPLY BY THE PRESIDENT

President Cherberg: "That is correct."

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3507.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Bill No. 3507, and the bill passed the Senate by the following vote: Yeas, 27; nays, 13; absent, 01; excused, 08.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hurley, McDermott, McManus, Metcalf, Moore, Owen, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognilid, von Reichbauer, Warnke, Williams, Wojahn, Woody - 27.

Voting nay: Senators Barr, Benitz, Bluechel, Clarke, Deccio, Guess, Hayner, Hemstad, Jones, McCaslin, Newhouse, Patterson, Zimmerman - 13.

Absent: Senator Fuller - 1.

Excused: Senators Craswell, Haley, Hughes, Kiskaddon, Lee, Pullen, Quigg, Sellar - 8.

ENGROSSED SENATE BILL NO. 3507, having received the 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

SUBSTITUTE SENATE BILL NO. 3520, by Committee on Local Government (originally sponsored by Senators Woody, Zimmerman and Thompson)

Revising procedures regarding contested elections and challenged voters.

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

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 3520.

## ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 3520, and the bill passed the Senate by the following vote: Yeas, 40; nays, 00; absent, 01; excused, 08.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Deccio, Fleming, Gaspard, Goltz, Granlund, Guess, Hansen, Hayner, Hemstad, Hurley, Jones, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognilid, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 40.

Absent: Senator Fuller - 1.

Excused: Senators Craswell, Haley, Hughes, Kiskaddon, Lee, Pullen, Quigg, Sellar - 8.

SUBSTITUTE SENATE BILL NO. 3520, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



MOTION

At 3:12 p.m., on motion of Senator Bottiger, the Senate adjourned until 10:00 a.m., Tuesday, April 26, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

## SECOND DAY

---

### MORNING SESSION

---

Senate Chamber, Olympia, Tuesday, April 26, 1983

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Hemstad, Hughes, Lee, Metcalf, McDermott, Pullen, Quigg, Rasmussen and Warnke. On motion of Senator Vognild, Senators Hughes, McDermott and Warnke were excused.

The Sergeant at Arms Color Guard, consisting of Pages Carla Paggiaro and Matthew Hinck, presented the Colors. Reverend Charles Loyer, retired pastor of Westminster United Presbyterian Church of Olympia, offered the prayer.

### MOTION

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

### MESSAGES FROM THE HOUSE

April 25, 1983

Mr. President:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 234,

SUBSTITUTE HOUSE BILL NO. 235, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

April 25, 1983

Mr. President:

The House has passed: ENGROSSED SENATE BILL NO. 3519, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

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

### THIRD READING

SENATE CONCURRENT RESOLUTION NO. 122, by Senators Goltz and Bluechel

Resolving to send two delegates to the first international planning meeting for Expo '86.

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

The President declared the question before the Senate to be the roll call on final passage of Senate Concurrent Resolution No. 122.

### ROLL CALL

The Secretary called the roll on final passage of Senate Concurrent Resolution No. 122, and the resolution passed the Senate by the following vote: Yeas, 40; nays, 00; absent, 06; excused, 03.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hurley, Jones, Kiskaddon, McCaslin, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Williams, Wojahn, Woody, Zimmerman - 40.

Absent: Senators Hemstad, Lee, Metcalf, Pullen, Quigg, Rasmussen - 6.

Excused: Senators Hughes, McDermott, Warnke - 3.

SENATE CONCURRENT RESOLUTION NO. 122, having received the constitutional majority, was declared passed.

## MOTIONS

On motion of Senator Goltz, Senate Concurrent Resolution No. 122 was ordered immediately transmitted to the House of Representatives.

On motion of Senator Bluechel, Senators Hemstad, Lee, Metcalf and Pullen were excused.

## THIRD READING

ENGROSSED SENATE BILL NO. 3858, by Senators Barr, Thompson, Zimmerman, Bauer and Deccio

Authorizing the annexation of areas outside cities and towns upon consent of the property owners.

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

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3858.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Bill No. 3858, and the bill passed the Senate by the following vote: Yeas, 43; nays, 00; absent, 01; excused, 05.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Kiskaddon, McCaslin, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Williams, Wojahn, Woody, Zimmerman - 43.

Absent: Senator Jones - 1.

Excused: Senators Hughes, Lee, McDermott, Metcalf, Warnke - 5.

ENGROSSED SENATE BILL NO. 3858, having received the 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

SUBSTITUTE SENATE BILL NO. 4137, by Committee on Institutions (originally sponsored by Senator Granlund)

Modifying provisions relating to adult corrections.

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

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 4137.

## ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 4137, and the bill passed the Senate by the following vote: Yeas, 44; nays, 00; absent, 01; excused, 04.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, McCaslin, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Williams, Wojahn, Woody, Zimmerman - 44.

Absent: Senator Deccio - 1.

Excused: Senators Hughes, McDermott, Metcalf, Warnke - 4.

SUBSTITUTE SENATE BILL NO. 4137, having received the 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

SUBSTITUTE SENATE BILL NO. 3056, by Committee on Commerce and Labor (originally sponsored by Senators Vognild and Newhouse) (by Department of Labor and Industries request)

Revising laws on enforcement of contractor registration.

## MOTIONS

On motion of Senator Vognild, the rules were suspended and Substitute Senate Bill No. 3056 was returned to second reading and read the second time.

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

On page 1, line 16, strike "Upon" and insert "If the name of the contractor allegedly or apparently in violation of this chapter is not known, or if the name of the contractor does not appear on the latest list of registered contractors compiled under RCW 18.27.120(1), upon"

Senator Vognild moved the following amendments be considered simultaneously and adopted:

On page 6, after line 27, insert the following:

"Sec. 18. Section 6, chapter 77, Laws of 1963 as amended by section 1, chapter 61, Laws of 1977 ex. sess. and RCW 18.27.060 are each amended to read as follows:

(1) A certificate of registration shall be valid for one year and shall be renewed on or before the expiration date. The ~~((director))~~ department shall issue to the applicant a certificate of registration upon compliance with the registration requirements of this chapter.

(2) If the department approves an application, it shall issue a certificate of registration to the applicant. The certificate shall be valid for:

(a) One year;

(b) Until the bond expires; or

(c) Until the insurance expires, whichever comes first. The department shall place the expiration date on the certificate.

(3) A contractor may supply a short-term bond or insurance policy to bring its registration period to the full one year.

(4) If a contractor's surety bond or other security has an unsatisfied judgment against it or is canceled, or if the contractor's insurance policy is canceled, the contractor's registration shall be automatically suspended on the effective date of the impairment or cancellation. The department shall give notice of the suspension to the contractor.

Sec. 19. Section 5, chapter 118, Laws of 1972 ex. sess. as amended by section 7, chapter 153, Laws of 1973 1st ex. sess. and RCW 18.27.120 are each amended to read as follows:

(1) The department shall ~~((annually, starting July 1, 1973;))~~ compile a list of all contractors registered ~~((pursuant to the provisions of))~~ under this chapter and update ~~((such))~~ the list at least bimonthly. ~~((Such))~~ The list shall be considered as public record information and shall be available to the public upon request: PROVIDED, That the department may charge a reasonable ((reproduction)) fee under RCW 42.17.300.

(2) The department shall inform any person, firm, or corporation, if a contractor is registered, and if a contractor is bonded or insured, without charge except for a reasonable fee under RCW 42.17.300 for copies made.

Sec. 20. Section 2, chapter 161, Laws of 1973 1st ex. sess. and RCW 18.27.140 are each amended to read as follows:

It is the purpose of this chapter to afford protection to the public including all persons, firms, and corporations furnishing labor, materials, or equipment to a contractor from unreliable, fraudulent, financially irresponsible, or incompetent contractors.

NEW SECTION, Sec. 21. Section 6, chapter 126, Laws of 1967 and RCW 18.27.085 are each hereby repealed.

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 6, line 30, after "Sec. 19." strike all the material down to and including "1984." and insert "Sections 1 through 17 of this act shall take effect January 1, 1984."

## POINT OF INQUIRY

Senator Guess: "Senator Vognild, I don't want the record to show that you made a statement that I don't believe is true. You said that if the contractor's registration--if the bond expired or his insurance expired, then his registration expired. As I read this, it says that a contractor may supply a short-term bond or insurance policy to bring the registration period for one full year. I want to make extremely clear that that is the case."

Senator Vognild: "Thank you, Senator. I am looking at line 23. It says that 'a certificate shall be valid for' and then it lists three terms--one year until the bond expires or until the insurance expires, which ever comes first."

Senator Guess: "But you also have to read sub (3)--'a contractor may supply a short bond or an insurance policy.' This has been one of the big problems of administration over there. The contractor has insurance policies and has for many years been on a fiscal year basis. That fiscal year does not coincide with the Department's fiscal year and this is where so many of the people got into trouble and caused a great deal of dislocation. I want to make sure that we don't go

through that same hiatus again. As I see the amendment, it is now taken care of, but you didn't state it that way. That is what I want to make sure."

Senator Vognild: "Thank you, Senator."

The President declared the question before the Senate to be adoption of the two amendments by Senator Vognild.

The motion by Senator Vognild carried and the amendments were adopted.

#### MOTION

Senator Vognild moved adoption of the following amendment:

On page 6, after line 27, insert the following:

"Sec. 18, Section 4, chapter 77, Laws of 1963 as last amended by section 1, chapter 11, Laws of 1977 ex. sess. and RCW 18.27.040 are each amended to read as follows:

(1) Each applicant shall, at the time of applying for or renewing a certificate of registration, file with the department a surety bond issued by a surety insurer who meets the requirements of chapter 48.28 RCW in a form acceptable to the department running to the state of Washington if a general contractor, in the sum of ~~((four))~~ six thousand dollars; if a specialty contractor, in the sum of ~~((two))~~ four thousand dollars, conditioned that the applicant will pay all persons performing labor, including employee benefits, for the contractor, will pay all taxes and contributions due to the state of Washington, and will pay all persons furnishing labor or material or renting or supplying equipment to the contractor and will pay all amounts that may be adjudged against the contractor by reason of negligent or improper work or breach of contract in the conduct of the contracting business. ~~((Any registered contractor with an unimpaired bond in effect on the day immediately preceding September 21, 1977, is hereby authorized to maintain such bond until the next annual renewal of such bond at which time the terms of this 1977 amendatory act must be complied with. PROVIDED, That))~~ A change in the name of a business or a change in the type of business entity shall not impair a bond for the purposes of this section so long as one of the original applicants for such bond maintains partial ownership in the business covered by the bond.

(2) Any contractor registered as of the effective date of this 1983 act who maintains such registration in accordance with this chapter shall be in compliance with this chapter until the next annual renewal of the contractor's certificate of registration. At that time, the contractor shall provide a bond, cash deposit, or other security deposit as required by this chapter and comply with all of the other provisions of this chapter before the department shall renew the contractor's certificate of registration.

(3) Any person, firm, or corporation having a claim against the contractor for any of the items referred to in this section may bring suit upon such bond in the superior court of the county in which the work is done or of any county in which jurisdiction of the contractor may be had. Action upon such bond or deposit shall be commenced by ~~((serving and))~~ filing ~~((of))~~ the complaint with the clerk of the appropriate superior court within one year from the date of expiration of the certificate of registration in force at the time the claimed labor was performed and benefits accrued, taxes and contributions owing the state of Washington became due, materials and equipment were furnished, or the claimed contract work was completed. Service of process in an action upon such bond shall be exclusively by service upon the department. Three copies of the complaint and a fee of ten dollars to cover the handling costs shall be served by registered or certified mail upon the department at the time suit is started and the department shall maintain a record, available for public inspection, of all suits so commenced. Service is not complete until the department receives the ten-dollar fee and three copies of the complaint. Such service shall constitute service on the registrant and the surety for suit upon the bond and the department shall transmit the complaint or a copy thereof to the registrant at the address listed in his application and to the surety within forty-eight hours after it shall have been received.

(4) The surety upon the bond shall not be liable in an aggregate amount in excess of the amount named in the bond ~~nor for any monetary penalty assessed pursuant to this chapter for an infraction.~~ The surety upon the bond may, upon notice to the department and the parties, tender to the clerk of the court having jurisdiction of the action an amount equal to the claims thereunder or the amount of the bond less the amount of judgments, if any, previously satisfied therefrom and to the extent of such tender the surety upon the bond shall be exonerated but if the actions commenced and pending at any one time exceed the amount of the bond then unimpaired, claims shall be satisfied from the bond in the following order:

~~((1))~~ (a) Labor, including employee benefits;

~~((2))~~ (b) Claims for breach of contract by a party to the construction contract;

~~((3))~~ (c) Material and equipment;

~~((4))~~ (d) Taxes and contributions due the state of Washington;

~~((5))~~ (e) Any court costs, interest, and attorney's fees plaintiff may be entitled to recover.

(5) In the event that any final judgment shall impair the liability of the surety upon the bond so furnished that there shall not be in effect a bond undertaking in the full amount prescribed in this section, the department shall suspend the registration of such contractor until the

bond liability in the required amount unimpaired by unsatisfied judgment claims shall have been furnished. If such bond becomes fully impaired, a new bond must be furnished at the increased rates prescribed by this section as now or hereafter amended.

(6) In lieu of the surety bond required by this section the contractor may file with the department a deposit consisting of cash or other security acceptable to the department.

(7) Any person having an unsatisfied final judgment against the registrant for any items referred to in this section may execute upon the security held by the department by serving a certified copy of the unsatisfied final judgment by registered or certified mail upon the department within one year of the date of entry of such judgment. Upon the receipt of service of such certified copy the department shall pay or order paid from the deposit, through the registry of the superior court which rendered judgment, towards the amount of the unsatisfied judgment. The priority of payment by the department shall be the order of receipt by the department, but the department shall have no liability for payment in excess of the amount of the deposit.

(8) The director may promulgate rules ((and regulations)) necessary for the proper administration of the security."

Re-number the remaining sections consecutively and correct internal references accordingly.

Debate ensued.

Senator Bluechel demanded a roll call and the demand was sustained.

The President declared the question to be the roll call on the adoption of the amendment by Senator Vognild on page 6, line 27.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Vognild carried and the amendment was adopted by the following vote: Yeas, 31; nays, 14; absent, 01; excused, 03.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Hansen, Hayner, Hurley, Kiskaddon, McManus, Metcalf, Moore, Owen, Patterson, Peterson, Pullen, Quigg, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Wojahn, Woody, Zimmerman - 31.

Voting nay: Senators Barr, Benitz, Bluechel, Clarke, Craswell, Guess, Haley, Hemstad, Lee, McCaslin, Newhouse, Rasmussen, Sellar, Williams - 14.

Absent: Senator Jones - 1.

Excused: Senators Hughes, McDermott, Warnke - 3.

#### MOTIONS

On motion of Senator Vognild, the following title amendments were considered and adopted simultaneously:

On page 1, line 3 of the title, after "18.27.020," insert "amending section 4, chapter 77, Laws of 1963 as last amended by section 1, chapter 11, Laws of 1977 ex. sess. and RCW 18.27.040;"

On page 1, line 3 of the title, after "18.27.020;" insert "amending section 6, chapter 77, Laws of 1963 as amended by section 1, chapter 61, Laws of 1977 ex. sess. and RCW 18.27.060; amending section 5, chapter 118, Laws of 1972 ex. sess. as amended by section 7, chapter 153, Laws of 1973 1st ex. sess. and RCW 18.27.120; amending section 2, chapter 161, Laws of 1973 1st ex. sess. and RCW 18.27.140;"

On page 1, line 4 of the title, after "18.27 RCW;" insert "repealing section 6, chapter 126, Laws of 1967 and RCW 18.27.085;"

On motion of Senator Vognild, the rules were suspended, Engrossed Substitute Senate Bill No. 3056 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate No. 3056.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 3056, and the bill passed the Senate by the following vote: Yeas, 37; nays, 09; absent, 00; excused, 03.

Voting yea: Senators Barr, Bauer, Bender, Bottiger, Clarke, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Hansen, Hayner, Hurley, Jones, Kiskaddon, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Wojahn, Woody, Zimmerman - 37.

Voting nay: Senators Benitz, Bluechel, Craswell, Guess, Haley, Hemstad, Lee, McCaslin, Williams - 9.

Excused: Senators Hughes, McDermott, Warnke - 3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3056, having received the 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

SUBSTITUTE SENATE BILL NO. 3079, by Committee on Local Government (originally sponsored by Senators Bauer and Sellar)

Authorizing insurance services for officials as well as employees of sewer districts.

### MOTIONS

On motion of Senator Thompson, the rules were suspended and Substitute Senate Bill No. 3079 was returned to second reading and read the second time.

Senator Thompson moved adoption of the following amendment by Senators Thompson, Zimmerman and Bauer:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 1, chapter 261, Laws of 1961 as last amended by section 5, chapter 190, Laws of 1981 and RCW 56.08.100 are each amended to read as follows:

A sewer district, by a majority vote of its board of commissioners, may enter into contracts to provide health care services and/or group insurance and/or term life insurance and/or social security insurance for the benefit of its employees and may pay all or any part of the cost thereof. The sewer district may provide such insurance for its commissioners if the premiums for the insurance are paid by the individual commissioners who elect to receive it. Insurance under this section shall not be considered to be compensation. Any two or more sewer districts or one or more sewer districts and one or more water districts, by a majority vote of their respective boards of commissioners, may, if deemed expedient, join in the procuring of such health care services and/or group insurance and/or term life insurance, and the board of commissioners of each participating sewer and/or water district may by appropriate resolution authorize their respective district to pay all or any portion of the cost thereof.

Sec. 2. Section 2, chapter 261, Laws of 1961 as last amended by section 6, chapter 190, Laws of 1981 and RCW 57.08.100 are each amended to read as follows:

A water district, by a majority vote of its board of commissioners, may enter into contracts to provide health care services and/or group insurance and/or term life insurance and/or social security insurance for the benefit of its employees and may pay all or any part of the cost thereof. The water district may provide such insurance for its commissioners if the premiums for the insurance are paid by the individual commissioners who elect to receive it. Insurance under this section shall not be considered to be compensation. Any two or more water districts or any one or more water districts and one or more sewer districts, by a majority vote of their respective boards of commissioners, may, if deemed expedient, join in the procuring of such health care services and/or group insurance and/or term life insurance, and the board of commissioners of each participating sewer and/or water district may by appropriate resolution authorize their respective district to pay all or any portion of the cost thereof.

Sec. 3. Section 1, chapter 64, laws of 1955 as last amended by section 1, chapter 6, Laws of 1973 1st ex. sess. and RCW 53.08.170 are each amended to read as follows:

The port commission shall have authority to create and fill positions, to fix wages, salaries and bonds thereof, to pay costs and assessments involved in securing or arranging to secure employees, and to establish such benefits for employees, including holiday pay, vacations or vacation pay, retirement and pension benefits, medical, surgical or hospital care, life, accident, or health disability insurance, and similar benefits, already established by other employers of similar employees, as the port commissioner shall by resolution provide: PROVIDED, That any district providing insurance benefits for its employees in any manner whatsoever may provide business-related travel, liability, health, errors and omissions and accident insurance, for its commissioners, which insurance shall not be considered to be compensation. Port districts may provide nonbusiness-related insurance for its commissioners if the premiums for such insurance are paid by the commissioners receiving the insurance benefits. This insurance shall not be considered to be compensation.

The port commission shall have authority to provide or pay such benefits directly, or to provide for such benefits by the purchase of insurance policies or entering into contracts with and compensating any person, firm, agency or organization furnishing such benefits, or by making contributions to vacation plans or funds, or health and welfare plans and funds, or pension plans or funds, or similar plans or funds, already established by other employers of similar employees and in which the port district is permitted to participate for particular classifications of its employees by the trustees or other persons responsible for the administration of such established plans or funds: PROVIDED FURTHER, That no port district employee shall be allowed to apply for admission to or be accepted as a member of the state employees' retirement system after January 1, 1965 if admission to such system would result in coverage under

both a private pension system and the state employees' retirement system, it being the purpose of this proviso that port districts shall not at the same time contribute for any employee to both a private pension or retirement plan and to the state employees' retirement system. The port commission shall have authority by resolution to utilize and compensate agents for the purpose of paying, in the name and by the check of such agent or agents or otherwise, wages, salaries and other benefits to employees, or particular classifications thereof, and for the purpose of withholding payroll taxes and paying over tax moneys so withheld to appropriate government agencies, on a combined basis with the wages, salaries, benefits, or taxes of other employers or otherwise; to enter into such contracts and arrangements with and to transfer by warrant such funds from time to time to any such agent or agents so appointed as are necessary to accomplish such salary, wage, benefit, or tax payments as though the port district were a private employer, notwithstanding any other provision of the law to the contrary. The funds of a port district transferred to such an agent or agents for the payment of wages or salaries of its employees in the name or by the check of such agent or agents shall be subject to garnishment with respect to salaries or wages so paid, notwithstanding any provision of the law relating to municipal corporations to the contrary.

Sec. 4. Section 2, chapter 75, Laws of 1963 as amended by section 2, chapter 57, Laws of 1965 and RCW 41.04.190 are each amended to read as follows:

The cost of any such group policy or plan to any such public agency or body shall not be deemed additional compensation to the employees or elected ~~((county))~~ officials covered thereby ~~((for services rendered))~~, and any officer authorized to disburse such funds may pay in whole or in part to any such insurance carrier or health care service contractor the amount of the premiums due pursuant to any such contract.

Sec. 5. Section 22, chapter 34, Laws of 1939 as last amended by section 1, chapter 27, Laws of 1980 and RCW 52.12.010 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. The members shall each receive twenty-five dollars per day, not to exceed seventy-five dollars per month, 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. This insurance shall not be considered to be compensation. 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 compensation payable under this section as to any month or months during his 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.

NEW SECTION. Sec. 6. The local government committees of the senate and house of representatives shall study compensation and other benefits provided to officials of special purpose districts and report their findings and any recommendations to the senate and house of representatives on or before January 1, 1984."

#### POINT OF INQUIRY

Senator Rasmussen: "Is that the only amendment that is in here--sewer and fire districts?"

Senator Thompson: "Sewer districts, fire districts, water districts, and port districts."

Senator Rasmussen: "Well, I seem to find one here on page 6, section 4. It seems to be a little different than sewer districts and fire districts."

Senator Thompson: "Senator Rasmussen, the sections set forth cover only the districts that I have cited."

Senator Rasmussen: "Well, the one that I am reading says 'the cost of any such group policy or plan to any such public agency or body shall not be deemed



additional compensation to the employees or elected,' and county is struck out, 'officials covered thereby.' Now, I don't know what reference--"

Senator Thompson: "That language appears with each reference, Senator Rasmussen, to assure that should the elected official opt to take advantage of this opportunity to buy insurance out of his own pocket, that that opportunity will not be deemed a compensation under this act."

#### MOTION

On motion of Senator Rasmussen, further consideration of Substitute Senate Bill No. 3079 was deferred.

#### THIRD READING

SENATE BILL NO. 3090, by Senators Talmadge and Hughes

Modifying the budget and accounting act.

#### MOTIONS

On motion of Senator Talmadge, the rules were suspended and Senate Bill No. 3090 was returned to second reading and read the second time.

Senator Talmadge moved adoption of the following amendment:

On page 3, following line 25, insert:

"NEW SECTION. Sec. 3. There is added to chapter 43.88 RCW a new section to read as follows:

The optional budget appendix containing a proposal for expenditures in the ensuing fiscal period from revenue sources derived from proposed changes in existing statutes shall be no more detailed than the required budget document setting forth a proposal for expenditures in the ensuing fiscal period based upon anticipated revenues for such fiscal period from the source and at the rates existing by law at the time of submission of the budget document."

#### POINT OF INQUIRY

Senator Fuller: "Senator Talmadge, I just completely do not understand the amendment. Will you tell me what it says?"

Senator Talmadge: "Sometimes it is terrible to behold the wonders of the House of Representatives. Apparently, there was some concern on their part about the budget notes that accompanied the budget document coming out of the respective Ways and Means Committees. From what I can understand of this amendment, I had something of the same problems that you did, but apparently they wanted to specify what detail would be required in the budget notes that accompanied the House budget and the Senate budget. That is what this is designed to do in the Budget and Accounting Act, and more than that, I can't tell you other than the fact that they adopted this over in the House."

Senator Fuller: "Your assumption is that whoever has to fulfill this requirement will understand it?"

Senator Talmadge: "My understanding is that that would be the case."

#### POINT OF INQUIRY

Senator Lee: Senator Talmadge, I think I understand what they are trying to get at. A year ago or so, we changed the Budget and Accounting Act that said that the Governor not only should submit a budget that he thought was an appropriate spending level, but he also needed to submit one that did not increase any kind of revenue that was in the existing revenue level. When that came out, it was about four pages, as opposed to the other document which was well over an inch thick. This amendment is saying that one can be no more lengthy than the other. Now, if that is the case and that is what this language says, what penalty is there if the Governor does not adhere to that requirement?"

Senator Talmadge: "Senator, I am not certain what the penalties are for violation of the Budget and Accounting Act. Perhaps, recalling back to the days of Governor Ray, we could throw the Governor in jail, rather than the Governor throwing all of us in jail for violation of the Budget and Accounting Act. I really don't know."

Debate ensued.

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

The motion by Senator Talmadge failed and the amendment was not adopted.

PARLIAMENTARY INQUIRY

Senator Peterson: "Are the House amendments, as adopted by the House, still in the bill?"

REPLY BY THE PRESIDENT

President Cherberg: "No, Senator."

MOTION

Senator Peterson moved adoption of the following amendment by Representatives McMullen, Fiske and Fisher:

On page 3, after line 23, insert new sections to read as follows:

NEW SECTION. Sec. 2. There is added to chapter 43.88 RCW a new section to read as follows:

Prior to January 15 of each year, each state agency shall separately itemize and submit to the secretary of the senate and chief clerk of the house any expenditures required, to be made by the agency under any federal court order. The secretary and chief clerk shall transmit this information to the appropriate standing committees. In each instance, the legislature shall review the expenditures mandated by the federal court order with a view to determining whether the program affected by the court order should be continued or eliminated and funds for the program either appropriated or not appropriated accordingly.

NEW SECTION. Sec. 3. Section 2 of this act shall be submitted to the people for their adoption and ratification, or rejection, at the next succeeding general election to be held in this state, in accordance with Article II, section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof."

Renumber remaining sections consecutively.

PARLIAMENTARY INQUIRY

Senator Talmadge: "I believe, with respect to the amendment that Senator Peterson is referring to, that the President has already ruled that amendment is beyond the scope and object of the bill."

REPLY BY THE PRESIDENT

President Cherberg: "The President believes that your statement is likely to be true, but does not recall for sure and will check it out."

RULING BY THE PRESIDENT

President Cherberg: "Senator Peterson, the message from the Senate to the House states that the President ruled the amendment on page 3, line 23, to Senate Bill No. 3090, beyond the scope and object of the bill. The Senate asked the House to recede from this amendment."

REMARKS BY SENATOR PETERSON

Senator Peterson: "Mr. President, I would still move that the body reconsider the amendment that was ruled out. What, in effect, it does is it takes us back into the Boldt decision again and requires that the Legislative standing committees review the expenditures that are forced upon the state relative to the pressures of expenditures that we have to either appropriate or not appropriate to accommodate that position, and I would think that it would be in order. It does go on a referendum--this section of the bill--to the people and I see nothing wrong with this."

PARLIAMENTARY INQUIRY

Senator Hayner: "A point of parliamentary inquiry. I was under the impression that you just ruled that this amendment was out of the scope and object of the bill."

REPLY BY THE PRESIDENT

President Cherberg: "Yes, that is true. The rules also prohibit reconsideration. However, if the Senator wishes to introduce the amendment again, he may do so. Do you wish to submit the amendment, Senator Peterson?"

Senator Peterson: "Yes, Mr. President."

## MOTION

On motion of Senator Peterson, the Senate began consideration of the amendment on page 3, line 23 to Senate Bill No. 3090.

## PARLIAMENTARY INQUIRY

Senator Clarke: "If I understand it, the amendment is now proposed before us as a House amendment to a Senate bill. Even though, on a previous occasion, scope and object has been sustained, it would again be necessary to raise the question as to this amendment formally. I have not raised the point of order yet, just a parliamentary inquiry. In other words, any member may raise that point of order?"

## REPLY BY THE PRESIDENT

President Cherberg: "Any member may have the opportunity to raise the point."

## POINT OF ORDER

Senator Talmadge: "Mr. President, I will renew my previous point of order on this bill which was scope and object, with respect to this amendment."

## MOTION

On motion of Senator Peterson, NEW SECTION, Sec. 3 was stricken from the amendment.

## POINT OF ORDER

Senator Talmadge: "I still raise the point of order on the remaining Section 2 of the amendment."

## RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the point of order raised by Senator Talmadge, the President finds that Senate Bill No. 3090 is a measure which repeals obsolete sections of the budget and accounting act.

"The amendment proposed by Senator Peterson would require state agencies to itemize any expenditures required to be made pursuant to a Federal Court Order. Also, the Legislature is directed to review the expenditures in order to determine if the program should be continued or eliminated.

"The President, therefore, finds that the proposed amendment does expand the scope and object of the bill and that the point of order is well taken."

The House amendment proposed by Senator Peterson was ruled out of order.

## MOTION

On motion of Senator Talmadge, the rules were suspended, Senate Bill No. 3090 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Senate Bill No. 3090.

## ROLL CALL

The Secretary called the roll on final passage of Senate Bill No. 3090, and the bill failed to pass the Senate by the following vote: Yeas, 23; nays, 23; absent, 00; excused, 03.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hurley, McManus, Moore, Owen, Peterson, Pullen, Rasmussen, Rinehart, Shinpoch, Thompson, Vognild, Williams, Wojahn, Woody - 23.

Voting nay: Senators Barr, Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Sellar, Talmadge, von Reichbauer, Zimmerman - 23.

Excused: Senators Hughes, McDermott, Warnke - 3.

SENATE BILL NO. 3090, having failed to receive the constitutional majority, was declared lost.

## NOTICE FOR RECONSIDERATION

Having voted on the prevailing side, Senator Talmadge served notice that he would, on the next working day, move to reconsider the vote by which Senate Bill No. 3090 failed to pass the Senate.

## THIRD READING

SUBSTITUTE SENATE BILL NO. 3266, by Committee on Energy and Utilities (originally sponsored by Senators Williams, Benitz, Talmadge, Bender, Thompson, Moore, Bauer, Woody and Hurley)

Modifying requirements to WPPSS executive board membership.

## MOTIONS

On motion of Senator Williams, the rules were suspended and Substitute Senate Bill No. 3266 was returned to second reading and read the second time.

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

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 43.52.290, chapter 8, Laws of 1965 as last amended by section 5, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.290 are each amended to read as follows:

Members of the board of directors of an operating agency shall be paid the sum of fifty dollars per day as compensation for each day or major part thereof devoted to the business of the operating agency, together with their traveling and other necessary expenses. Such member may, regardless of any charter or other provision to the contrary, be an officer or employee holding another public position and, if he be such other public officer or employee, he shall be paid by the operating agency such amount as will, together with the compensation for such other public position equal the sum of fifty dollars per day. The common law doctrine of incompatibility of offices is hereby voided as it applies to persons sitting on the board of directors or the executive board of an operating agency and holding an elective or appointive position on a public utility district commission or municipal legislative authority or being an employee of a public utility district or municipality.

Sec. 2. Section 43.52.370, chapter 8, Laws of 1965 as last amended by section 2, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.370 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the management and control of an operating agency shall be vested in a board of directors, herein sometimes referred to as the board. The legislative body of each member of an operating agency shall appoint a representative who may, at the discretion of the member and regardless of any charter or other provision to the contrary, be an officer or employee of the member, to serve on the board of the operating agency. Each representative shall have one vote and shall have, in addition thereto, one vote for each block of electric energy equal to ten percent of the total energy generated by the agency during the preceding year purchased by the member represented by such representative. Each member may appoint an alternative representative to serve in the absence or disability of its representative. Each representative shall serve at the pleasure of the member. The board of an operating agency shall elect from its members a president, vice president and secretary, who shall serve at the pleasure of the board. The president and secretary shall perform the same duties with respect to the operating agency as are provided by law for the president and secretary, respectively, of public utility districts, and such other duties as may be provided by motion, rule or resolution of the board. The board of an operating agency shall adopt rules for the conduct of its meetings and the carrying out of its business, and adopt an official seal. All proceedings of an operating agency shall be by motion or resolution and shall be recorded in the minute book which shall be a public record. A majority of the board members shall constitute a quorum for the transaction of business. A majority of the votes which the members present are entitled to cast shall be necessary and sufficient to pass any motion or resolution: PROVIDED, That such board members are entitled to cast a majority of the votes of all members of the board. The members of the board of an operating agency may be compensated by such agency as is provided in RCW 43.52.290: PROVIDED, That the ((per diem)) compensation to any member shall not exceed five thousand dollars in any year except for board members who are elected to serve on an executive board established under RCW 43.52.374((in which case per diem compensation to any member shall not exceed ten thousand dollars in any year)).

(2) If an operating agency is constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the powers and duties of the board of directors shall include and are limited to the following:

(a) Final authority on any decision of the operating agency to purchase, acquire, construct, terminate, or decommission any power plants, works, and facilities except that once the board of directors has made a final decision regarding a nuclear power plant, the executive board established under RCW 43.52.374 shall have the authority to make all subsequent decisions regarding the plant and any of its components:

(b) Election of members to ~~((and))~~, removal from, and establishment of salaries for the elected members of the executive board under RCW 43.52.374(1)(a); and

(c) Selection and appointment of three outside directors as provided in RCW 43.52.374(1)(b).

All other powers and duties of the operating agency, including without limitation authority for all actions subsequent to final decisions by the board of directors, including but not limited to the authority to sell any power plant, works, and facilities are vested in the executive board established under RCW 43.52.374.

Sec. 3. Section 2, chapter 3, Laws of 1981 1st ex. sess. as amended by section 3, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.374 are each amended to read as follows:

(1) With the exception of the powers and duties of the board of directors described in RCW 43.52.370(2), the management and control of an operating agency constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW is vested in an executive board established under this subsection and consisting of eleven members.

(a) Five members of the executive board shall be elected to four-year terms by the board of directors from among the members of the board of directors. The board of directors may provide by rule for the composition of the five members of the executive board elected from among the members of the board of directors so as to reflect the member public utility districts' and cities' participation in the joint operating agency's projects. Members elected to the executive board from the board of directors are ineligible for continued membership on the executive board if they cease to be members of the board of directors. The board of directors may also provide by rule for the removal of a member of the executive board, except for the outside directors. Members of the board of directors may be elected to serve successive terms on the executive board. Members elected to the executive board from the board of directors shall receive a salary from the operating agency at a rate set by the board of directors.

(b) Six members of the executive board shall be outside directors. Three shall be selected and appointed by the board of directors, and three shall be selected and appointed by the governor and confirmed by the senate. All outside directors shall:

(i) Serve four-year terms on the executive board. However, of the initial members of the executive board, the board of directors and the governor shall each appoint one outside director to serve a two-year term, one outside director to serve a three-year term, and one outside director to serve a four-year term. Thereafter, all outside directors shall be appointed for four-year terms. All outside directors are eligible for reappointment;

(ii) Receive ~~((per diem compensation and))~~ travel expenses on the same basis as the five members elected from the board of directors. The outside directors shall also receive a salary from the operating agency as fixed by the governor;

(iii) Not be an officer or employee of, or in any way affiliated with, the Bonneville power administration or any electric utility conducting business in the states of Washington, Oregon, Idaho, or Montana;

(iv) Not be involved in the financial affairs of the operating agency as an underwriter or financial adviser of the operating agency or any of its members or any of the participants in any of the operating agency's plants; and

(v) Be representative of policy makers in business, finance, or science, or have expertise in the construction or management of such facilities as the operating agency is constructing or operating, or have expertise in the termination, disposition, or liquidation of corporate assets.

(c) The governor may remove outside directors from the executive board for incompetence, misconduct, or malfeasance in office in the same manner as state appointive officers under chapter 43.06 RCW. For purposes of this subsection, misconduct shall include, but not be limited to, nonfeasance and misfeasance.

(2) Nothing in this chapter shall be construed to mean that an operating agency is in any manner an agency of the state. Nothing in this chapter alters or destroys the status of an operating agency as a separate municipal corporation or makes the state liable in any way or to any extent for any preexisting or future debt of the operating agency or any present or future claim against the agency.

(3) The eleven members of the executive board shall be selected with the objective of establishing an executive board which has the resources to effectively carry out its responsibilities. All members of the executive board shall conduct their business in a manner which in their judgment is in the interest of all ratepayers affected by the joint operating agency and its projects.

(4) The executive board shall elect from its members a chairman, vice chairman, and secretary, who shall serve at the pleasure of the executive board. The executive board shall adopt rules for the conduct of its meetings and the carrying out of its business which shall include provisions requiring public notice and allowing public attendance at all meetings of the executive board or any subgroup thereof. Such rules shall be in compliance with the open public meetings act, chapter 42.30 RCW. All proceedings shall be by motion or resolution and shall be recorded in the minute book, which shall be a public record. A majority of the executive board shall constitute a quorum for the transaction of business.

(5) With respect to any operating agency existing on April 20, 1982, to which the provisions of this section are applicable:

(a) The board of directors shall elect five members to the executive board no later than sixty days after April 20, 1982; and

(b) The board of directors and the governor shall select and appoint the initial outside directors and the executive board shall hold its organizational meeting no later than sixty days after April 20, 1982, and the powers and duties prescribed in this chapter shall devolve upon the executive board at that time.

(6) The executive board shall select and employ a managing director of the operating agency and may delegate to the managing director such authority for the management and control of the operating agency as the executive board deems appropriate. The managing director's employment is terminable at the will of the executive board.

(7) Members of the executive board shall be immune from civil liability for mistakes and errors of judgment in the good faith performance of acts within the scope of their official duties involving the exercise of judgment and discretion. This grant of immunity shall not be construed as modifying the liability of the operating agency.

The operating agency shall undertake the defense of and indemnify each executive board member made a party to any civil proceeding including any threatened, pending, or completed action, suit, or proceeding, whether civil, administrative, or investigative, by reason of the fact he or she is or was a member of the executive board, against judgments, penalties, fines, settlements, and reasonable expenses, actually incurred by him or her in connection with such proceeding if he or she had conducted himself or herself in good faith and reasonably believed his or her conduct to be in the best interest of the operating agency.

In addition members of the executive board who are utility employees shall not be fired, forced to resign, or demoted from their utility jobs for decisions they make while carrying out their duties as members of the executive board involving the exercise of judgment and discretion.

NEW SECTION. Sec. 4. There is added to chapter 43.52.RCW a new section to read as follows:

(1) The legislature intends that the business and deliberations of joint operating agencies conducted by their boards of directors, executive boards, committees and subcommittees be conducted openly and with opportunity for public input.

(2) The board of directors, executive board, and all committees or subcommittees thereof shall comply with the provisions of chapter 42.30 RCW, in order to assure adequate public input and awareness of decisions."

On page 1, line 1 of the title after "agencies;" strike the remainder of the title and insert "amending section 43.52.290, chapter 8, Laws of 1965 as last amended by section 5, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.290; amending section 43.52.370, chapter 8, Laws of 1965 as last amended by section 2, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.374; and adding a new section to chapter 43.52 RCW."

#### MOTION

On motion of Senator Williams, the rules were suspended, Engrossed Substitute Senate Bill No. 3266 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Vognild: "Senator Williams, I was just working my way through this bill. On page 6, it indicates that the members elected to the executive board and the board of directors shall receive a salary from the operating agency at a rate set by the board of directors. That is new language and I was not aware of it. Is that a new policy? What are we doing here?"

Senator Williams: "Yes, it is. The members that are appointed by the Governor--their salaries are set by the Governor. The reason for this, now, is to allow the board to set the salaries for the executive board of the inside members and allow parity, then, for all the members on the board. That is the reason--giving them that option to do so."

Senator Vognild: "Thank you. Do you know what the salaries are now?"

Senator Williams: "I do not."

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3266.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 3266, and the bill passed the Senate by the following vote: Yeas, 44; nays, 01; absent, 01; excused, 03.

Voting yea: Senators Barr, Bauer, Benitz, Bluechel, Bottiger, Clarke, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Williams, Wojahn, Woody, Zimmerman - 44.

Voting nay: Senator Conner - 1.

Absent: Senator Bender - 1.

Excused: Senators Hughes, McDermott, Warnke - 3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3266, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Senator Shinpoch, the Senate resumed consideration of Substitute Senate Bill No. 3079 and the pending striking amendment by Senators Thompson, Zimmerman and Bauer, deferred earlier today.

On motion of Senator Thompson, the following amendment to the striking amendment was adopted:

On page 3, line 37, strike all of section 4, and renumber accordingly.

The President declared the question before the Senate to be adoption of the amendment, as amended, by Senators Thompson, Zimmerman and Bauer.

The motion by Senator Thompson carried and the amendment, as amended, was adopted.

#### MOTION

On motion of Senator Thompson, the following title amendment was adopted:

On line 15 of the title amendment, after "RCW 53.080.170;" strike the material through "RCW 41.04.190;" on line 17.

On motion of Senator Thompson the rules were suspended, Engrossed Substitute Senate Bill No. 3079 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Patterson: "Senator Thompson, I am looking at NEW SECTION 6, which provides for a study on the subject of compensation for these districts. I am just wondering whether or not that shouldn't be the subject of a separate floor resolution, rather than part of this particular bill?"

Senator Thompson: "Senator Patterson, we consider it appropriate here, because it facilitates cooperation of the two bodies in addressing the complexities of this area, and we will have that good purpose, I believe."

Senator Patterson: "I am not questioning the purpose, Senator. I am just questioning whether or not it ought to be part of the bill which deals with, basically, insurance and other factors for these special districts. I am just wondering whether or not a study should be part of the bill itself, which will be in law for sometime to come and then you will have to take it out. That is all I am saying."

Senator Thompson: Senator Patterson, it is not unusual and we anticipate a bill growing out of that study, at which time we could strike this section."

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3079.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 3079, and the bill passed the Senate by the following vote: Yeas, 46; nays, 00; absent, 00; excused, 03.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Williams, Wojahn, Woody, Zimmerman - 46.

Excused: Senators Hughes, McDermott, Warnke - 3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3079, having received the 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 President reverted the Senate to the fourth order of business.

MESSAGE FROM THE HOUSE

April 26, 1983

Mr. President:

The Speaker has signed:

HOUSE CONCURRENT RESOLUTION NO. 21.

HOUSE CONCURRENT RESOLUTION NO. 22.

HOUSE CONCURRENT RESOLUTION NO. 23, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

SIGNED BY THE PRESIDENT

The President signed:

HOUSE CONCURRENT RESOLUTION NO. 21.

HOUSE CONCURRENT RESOLUTION NO. 22.

HOUSE CONCURRENT RESOLUTION NO. 23.

MOTION

At 11:50 a.m., on motion of Senator Shinpoch, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

MOTION

On motion of Senator Shinpoch, the Senate advanced to the sixth order of business.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 118, by Senators Craswell, Conner, Owen and Granlund

Establishing the Andrew W. Anderson recreational fishing area.

The resolution was read the second time.

MOTION

On motion of Senator Owen, the rules were suspended, Senate Concurrent Resolution No. 118 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

POINT OF INQUIRY

Senator Bottiger: "Senator Rasmussen, do I have your assurance that there is nothing in this resolution pertaining to barbless hooks?"

Senator Rasmussen: "I don't think that the barbless hooks are related to the fishing pier, but I am sure there are many tourists who will come and know nothing about our strange ruling on barbless hooks, and that they will be fishing illegally and that is the sad part about these silly regulations that are put on by some of our departments. I am glad you asked that question, Senator Bottiger. I hope the fisheries inspectors will be rather lenient with our tourists when they come in fishing with the same type of hook that they use in their own state."

The President declared the question before the Senate to be the roll call on final passage of Senate Concurrent Resolution No. 118.

ROLL CALL

The Secretary called the roll on final passage of Senate Concurrent Resolution No. 118 and the resolution passed the Senate by the following vote: Yeas, 41; nays, 00; absent, 05; excused, 03.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Clarke, Craswell, Deccio, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson,



Pullen, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Wojahn, Woody, Zimmerman - 41.

Absent: Senators Bauer, Conner, Fleming, Quigg, Williams - 5.

Excused: Senators Hughes, McDermott, Warnke - 3.

SENATE CONCURRENT RESOLUTION NO. 118, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Senator Shinpoch, the Senate advanced to the seventh order of business.

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 3434, by Committee on Commerce and Labor (originally sponsored by Senators Peterson, Sellar and Vognild)

Modifying definition of "member" for gambling enforcement purposes.

#### MOTIONS

On motion of Senator Vognild, the rules were suspended, Substitute Senate Bill No. 3434 was returned to second reading and read the second time.

On motion of Senator Bluechel, Senator Clarke was excused.

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

On page 12, line 15 after "winnings" insert "taxes, license fees,"

#### MOTIONS

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

On page 12, line 25 following "organization" strike "; and (d)" and insert "~~((- and (d) ))~~ such event shall not be held on the premises of a licensee, as defined in RCW 66.20.160, more than four calendar days per calendar month; and (e)"

Senator Vognild moved adoption of the following amendment:

On page 17, line 20 after "subsection" insert "; PROVIDED FURTHER, That a voluntary contribution to defray club expenses averaging no more than one dollar per player per hour may be made by the players in a social dice game with a record of such contributions to be maintained by the organization for a period of three years"

#### POINT OF ORDER

Senator Metcalf: Mr. President, I respectfully question the scope and object. This goes a major step further than the bill. This expands the gambling in our state substantially and, I think, it is clearly beyond the scope and object."

#### REPLY BY THE PRESIDENT

President Cherberg: "Senator Metcalf has raised the point that the amendment changes the scope and object of the bill."

#### MOTION

On motion of Senator Shinpoch, further consideration of Substitute Senate Bill No. 3434 was deferred.

President Pro Tempore Goltz assumed the chair.

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 3490, by Committee on Local Government (originally sponsored by Senators Goltz, Deccio and Granlund)

Changing the procedures for appointing the local health officer in counties with home rule charters.

#### MOTIONS

On motion of Senator Thompson, the rules were suspended, Substitute Senate Bill No. 3490 was returned to second reading and read the second time.

On motion of Senator Bluechel, Senator Quigg was excused.

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

On page 3, after line 17, insert the following:

"NEW SECTION, Sec. 5. There is added to chapter 70.05 RCW a new section to read as follows:

Each city or town which is part of a county health department established under chapter 70.05 RCW or a combined city-county health department established under chapter 70.08 RCW, or is purchasing health services from a health department under a contract authorized by RCW 70.05.150 or 70.08.090, shall pay such sums to support the operations of such department as are agreed upon by the city or town and the jurisdiction operating the department, in accordance with guidelines established by the department of social and health services in consultation with the state board of health which specify those services or types of services that cities, towns, and counties must provide, and those services which are optional. If no agreement can be reached between the jurisdiction operating the health department and such city or town following a reasonable period of good faith negotiations, including mediation where appropriate, the matter shall be resolved by a board of arbitrators which shall be convened at the request of either party. The board of arbitrators shall consist of a representative of the jurisdiction operating the health department, a representative from the city or town involved, and a third representative appointed by the other two representatives. If no agreement can be reached regarding the third representative, the third representative shall be appointed by a judge of the superior court of the county of the jurisdiction operating the department. The determination by the board of arbitrators of the amount to be paid by the city or town shall be binding on all parties. The cost, if any, of the representative appointed by each party shall be borne by that party. The cost, if any, of the third representative shall be shared equally by both parties.

NEW SECTION. Sec. 6. There is added to chapter 70.05 RCW a new section to read as follows:

All expenses incurred by the state or county in carrying out the provisions of chapters 70.05 and 70.08 RCW, any other public health law, or the rules enacted under such laws by the state department of social and health services or the state board of health shall be paid by the city or town by which or on whose behalf such expenses were incurred. The local health officer shall certify the amount agreed upon or determined by arbitration under section 5 of this act which remains unpaid by each city or town to the fiscal or warrant issuing officer of such city or town.

If the certified expense is not paid by the city or town within thirty days after the end of the fiscal year, the local health officer shall certify the amount due to the auditor of the county in which the city or town is situated, who shall promptly issue a warrant on the county treasurer payable out of the current expense fund of the county, or in accordance with the procedures of the fiscal agent of the combined city-county health department. Any sums paid in this manner shall be reimbursed by the county auditor out of the money due the city or town at the next monthly settlement or settlements of the collection of taxes and until the certified amount is satisfied and shall be transferred to the county's current expense fund or to the fiscal agent of the combined city-county health department."

#### MOTION

On motion of Senator Thompson, the following title amendments were considered and adopted simultaneously:

On page 1, line 6 of the title, after "70.05.053;" strike "and"

On page 1, line 8 of the title, after "70.05.080" insert "; and adding new sections to chapter 70.05 RCW"

#### MOTION

On motion of Senator Thompson, the rules were suspended. Engrossed Substitute Senate Bill No. 3490 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3490.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 3490, and the bill passed the Senate by the following vote: Yeas, 42; nays, 02; absent, 01; excused, 04.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rinehart, Shinpoeh, Talmadge, Thompson, Vognild, von Reichbauer, Williams, Wojahn, Woody, Zimmerman - 42.

Voting nay: Senators Pullen, Rasmussen - 2.

Absent: Senator Sellar - 1.

Excused: Senators Clarke, Hughes, McDermott, Warnke - 4.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3490, having received the 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 SENATE BILL NO. 3856, by Committee on Judiciary (originally sponsored by Senator Talmadge)

Changing provisions relating to criminal law.

## MOTIONS

On motion of Senator Talmadge, the rules were suspended, Engrossed Substitute Senate Bill No. 3856 was returned to second reading and read the second time.

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

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 9A.48.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.48.070 are each amended to read as follows:

(1) A person is guilty of malicious mischief in the first degree if he knowingly and maliciously:

(a) Causes physical damage to the property of another in an amount exceeding one thousand five hundred dollars: ~~((or))~~

(b) Causes an interruption or impairment of service rendered to the public by physically damaging or tampering with an emergency vehicle or property of the state, a political subdivision thereof, or a public utility or mode of public transportation, power, or communication; or

~~(c) Causes an impairment of the safety, efficiency, or operation of an aircraft by physically damaging or tampering with the aircraft or aircraft equipment, fuel, lubricant, or parts.~~

(2) Malicious mischief in the first degree is a class B felony.

Sec. 2. Section 10, chapter 38, Laws of 1975-'76 2nd ex. sess. and RCW 9A.56.110 are each amended to read as follows:

"Extortion" means knowingly to obtain or attempt to obtain by threat property or services of the owner, as defined in RCW 9A.56.010(8) and specifically includes sexual favors.

Sec. 3. Section 9A.76.170, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.170 are each amended to read as follows:

(1) Any person having been released by court order or admitted to bail with the requirement of a subsequent personal appearance before any court of this state, and who knowingly fails (~~((without lawful excuse))~~) to appear as required is guilty of bail jumping. (~~((Unless otherwise established, the failure to appear when required shall be inferred to have been without lawful excuse:))~~)

(2) Bail jumping is:

(a) A class A felony if the person was held for, charged with, or convicted of murder in the first degree;

(b) A class B felony if the person was held for, charged with, or convicted of a class A felony other than murder in the first degree;

(c) A class C felony if the person was held for, charged with, or convicted of a class B or class C felony;

~~(d) ((A gross misdemeanor if the person was held for, charged with, or convicted of a class C felony;))~~

~~(e))~~ A misdemeanor if the person was held for, charged with, or convicted of a gross misdemeanor or misdemeanor.

Sec. 4. Section 7, chapter 186, Laws of 1973 1st ex. sess. and RCW 69.41.070 are each amended to read as follows:

Whoever violates any provision of this chapter shall, upon conviction, be fined and imprisoned as herein provided:

(1) For a violation of RCW 69.41.020, the offender shall be guilty of a felony.

(2) For a violation of RCW 69.41.030 involving the sale, delivery, or possession with intent to sell or deliver, the offender shall be guilty of a felony.

(3) For a violation of RCW 69.41.030 involving possession, the offender shall be guilty of a misdemeanor.

(4) For a violation of RCW 69.41.040, the offender shall be guilty of a felony.

(5) For a violation of RCW 69.41.050, the offender shall be guilty of a misdemeanor.

(6) Any offense which is a violation of chapter 69.50 RCW other than RCW 69.50.401(c) shall not be charged under this chapter.

Sec. 5. Section 4, chapter 171, Laws of 1982 and RCW 69.52.030 are each amended to read as follows:

(1) It is unlawful for any person to manufacture, distribute, or possess with intent to distribute, an imitation controlled substance. Any person who violates this subsection shall, upon conviction, be guilty of a class C felony.

(2) Any person eighteen years of age or over who violates subsection (1) of this section by distributing an imitation controlled substance to a person under eighteen years of age is guilty of a class B felony.

(3) It is unlawful for any person to cause to be placed in any newspaper, magazine, handbill, or other publication, or to post or distribute in any public place, any advertisement or solicitation offering for sale imitation controlled substances. Any person who violates this subsection is guilty of a class C felony.

(4) No civil or criminal liability shall be imposed by virtue of this chapter on any person registered under the Uniform Controlled Substances Act pursuant to RCW 69.50.301 or 69.50.303 who manufactures, distributes, or possesses an imitation controlled substance for use as a placebo or other use by a registered practitioner, as defined in RCW 69.50.101(t), in the course of professional practice or research.

(5) ~~((This chapter shall not apply to offenses defined and punishable under the provisions of RCW 69.50.401(c)).~~

(6)) No prosecution under this chapter shall be dismissed solely by reason of the fact that the dosage units were contained in a bottle or other container with a label accurately describing the ingredients of the imitation controlled substance dosage units. The good faith of the defendant shall be an issue of fact for the trier of fact.

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."

#### MOTION

On motion of Senator Talmadge, the following title amendment was adopted:

On page 1, line 1 of the title, after "crimes;" strike the remainder of the title and insert "amending section 9A.48.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.48.070; amending section 10, chapter 38, Laws of 1975-'76 2nd ex. sess. and RCW 9A.56.110; amending section 9A.76.170, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.170; amending section 7, chapter 186, Laws of 1973 1st ex. sess. and RCW 69.41.070; and amending section 4, chapter 171, Laws of 1982 and RCW 69.52.030."

#### MOTION

On motion of Senator Talmadge, the rules were suspended. Reengrossed Substitute Senate Bill No. 3856 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Reengrossed Substitute Senate Bill No. 3856.

#### ROLL CALL

The Secretary called the roll on final passage of Reengrossed Substitute Senate Bill No. 3856 and the bill passed the Senate by the following vote: Yeas, 43; nays, 00; absent, 02; excused, 04.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Craswell, Deccio, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Williams, Wojahn, Woody, Zimmerman - 43.

Absent: Senators Conner, Fleming - 2.

Excused: Senators Clarke, Hughes, McDermott, Warnke - 4.

REENGROSSED SUBSTITUTE SENATE BILL NO. 3856, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 2:12 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President Pro Tempore called the Senate to order at 3:56 p.m.

#### MOTION

At 3:56 p.m., on motion of Senator Shinpoch, the Senate adjourned until 10:00 a.m. Wednesday, April 27, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

### THIRD DAY

---

#### MORNING SESSION

---

Senate Chamber, Olympia, Wednesday, April 27, 1983

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Bluechel, Haley and Hansen.

The Sergeant at Arms Color Guard, consisting of Pages Melissa Moore and Joe Vachon presented the Colors. Reverend Charles Loyer, retired pastor of Westminster United Presbyterian Church of Olympia, offered the prayer.

#### MOTION

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

#### MESSAGES FROM THE HOUSE

April 26, 1983

Mr. President:

The House has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 245.

SUBSTITUTE HOUSE BILL NO. 251.

SUBSTITUTE HOUSE BILL NO. 296.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 495.

HOUSE BILL NO. 524.

HOUSE BILL NO. 725.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 740.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 796, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

April 26, 1983

Mr. President:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 43.

SECOND SUBSTITUTE HOUSE BILL NO. 226.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 231, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

April 26, 1983

Mr. President:

The House has passed:

ENGROSSED HOUSE BILL NO. 2.

SUBSTITUTE HOUSE BILL NO. 39.

HOUSE BILL NO. 72.

ENGROSSED HOUSE BILL NO. 74.

SUBSTITUTE HOUSE BILL NO. 139.

ENGROSSED HOUSE BILL NO. 239.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 240.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 278.

ENGROSSED HOUSE BILL NO. 399.

HOUSE BILL NO. 420.

ENGROSSED HOUSE BILL NO. 428.

ENGROSSED HOUSE BILL NO. 570, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## POINT OF ORDER

Senator Rasmussen: "Mr. President, I have been asked who is making up the calendar of the day. Rule 50--'the Committee on Rules shall have charge of the daily second and third reading calendar of the Senate and shall direct the secretary of the senate the order in which the bills shall be considered by the senate and the Committee on Rules shall have the authority' and it goes on to say to refer bills at any time. I submit to you, Mr. President, that the Committee on Rules has not met this session. I have no knowledge of whose making up the calendar. I think it is very important that we follow the rules, and the Rules Committee should have a consideration of these bills before they are put on the calendar. I would ask you to rule on that, please."

## REMARKS BY SENATOR BOTTIGER

Senator Bottiger: "Mr. President, the Senate passed a resolution directing that the bills returned from the House shall go directly to the third reading calendar. That resolution passed, to the best of my knowledge, without opposition and under that resolution the bills returning from the House are on the third reading calendar."

## REMARKS BY SENATOR NEWHOUSE

Senator Newhouse: "Mr. President, I believe that the wording was that they shall achieve the highest status that they had in the previous session, which would not be necessarily the third reading calendar on the floor, but the third reading in Rules, according to precedent we have had in previous years."

## REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "Mr. President, speaking to the point raised by Senator Bottiger, I am not arguing that point. I am saying that it is up to the Rules Committee to decide whether the bills are properly on the calendar and the order in which they shall be on. It clearly states in Rule 50 that that is the duty of the Rules Committee. I have no knowledge of who is making up the calendar, but I am quite positive, in my own mind, that the Rules Committee, having not met, it is not the Rules Committee. I would urge the President to consider that and that we proceed in order with the rules."

## POINT OF INFORMATION

Senator Jones: "Mr. President, a point of information, I would like to scratch any rumors that we are writing Senator Rasmussen's script. He does his own."

Debate ensued.

## MOTION

At 10:13 a.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 10:25 a.m.

## RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the point of order raised by Senator Rasmussen, the President believes that as far as Rule 50 is concerned the point is well taken.

"However, House Concurrent Resolution No. 22 was adopted by both the House and the Senate. The President believes that this constitutes a joint rule of the Legislature at least in this instance and thus supercedes Senate Rule No. 50.

"The Secretary advises that the bills are in the same position as shown by the official Senate Docket at adjournment sine die. Therefore, the bills on the respective calendars are properly before the Senate."

## POINT OF ORDER

Senator Rasmussen: "Mr. President, one further point. The resolution was adopted in a previous session and doesn't govern this session in control of the Rules Committee."

## REPLY BY THE PRESIDENT

President Cherberg: "The President believes that in this instance, Senator, that it does."

## PARLIAMENTARY INQUIRY

Senator Kiskaddon: "Does that mean from your ruling that we would work, then, from the top to the bottom of the calendar in order?"

## REPLY BY THE PRESIDENT

President Cherberg: "That is a question that the body must decide, Senator Kiskaddon."

Senator Kiskaddon: "Then, would it take a motion each time if we did not do them from the top to the bottom?"

President Cherberg: "Senator, your point is well taken, in the sense that the bills may be considered as ordered by the Senate Rules Committee. However, Rule 50 also states that the Senate may change the order of consideration of bills on the second or third reading calendar."

## MOTION

On motion of Senator Shinpoch, the Senate advanced to the seventh order of business.

## THIRD READING

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127, by Senators Shinpoch, Bottiger, Hayner, Fleming and Jones (by Lieutenant Governor request)

Establishing a joint select legislative committee on international trade, tourism and investment.

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

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Concurrent Resolution No. 127.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Concurrent Resolution No. 127, and the resolution passed the Senate by the following vote: Yeas, 46; nays, 00; absent, 03; excused, 00.

Voting yeas: Senators Barr, Bauer, Bender, Benitz, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Graniund, Guess, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalif, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 46.

Absent: Senators Bluechel, Haley, Hansen - 3.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127, having received the constitutional majority, was declared passed.

## MOTIONS

On motion of Senator Vognild, Senator Hansen was excused.

On motion of Senator Zimmerman, Senators Bluechel and Haley were excused.

## THIRD READING

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 113, by Committee on State Government (originally sponsored by Senators Warnke and Vognild)

Providing for a legislative study of government reorganization.

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

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Concurrent Resolution No. 113.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Concurrent Resolution No. 113, and the resolution passed the Senate by the following vote: Yeas, 26; nays, 20; absent, 00; excused, 03.

Voting yea: Senators Barr, Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hughes, Hurley, McDermott, McManus, Moore, Owen, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 26.

Voting nay: Senators Benitz, Clarke, Craswell, Deccio, Fuller, Guess, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Sellar, von Reichbauer, Zimmerman - 20.

Excused: Senators Bluechel, Haley, Hansen - 3.

INGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 113, having received the constitutional majority, was declared passed.

## MOTION

Senator Bottiger: "Mr. President, I move that the members of the Senate be allowed to speak only once and be limited to three minutes on each motion or amendment, except that the mover of the motion shall be allowed to open and close debate, and also that members be prohibited from yielding their time.

"This motion shall remain in effect through sine die of the 1st special session of the 48th Legislature."

Debate ensued.

## POINT OF INQUIRY

Senator Pullen: "Senator Bottiger, I just wanted to clarify the portion of your motion dealing with yielding of time. In other words, sometimes the chairman of a committee will speak on the bill and will use up his three minutes, and then someone else who may have a legitimate question for the chairman—perhaps to establish legislative intent—if a second person who hasn't spoken wants to ask a question of say—the chairman of the committee who has spoken and has used up his time, then is the question of the second person considered his time, or is that prohibited under the rule, because that would be considered yielding of time?"

Senator Bottiger: "Senator Pullen, as I understand the previous rule of the Chair, the time is charged to the asker of the question. No one has been fussy about this when it was constructive. However, if there was an organized attempt to ask questions to extend debate, then somebody might raise a point of order."

Further debate ensued.

The President declared the question before the Senate to be the motion by Senator Bottiger to limit debate.

Senator Rasmussen demanded a roll call and the demand was sustained.

## ROLL CALL

The Secretary called the roll and the motion by Senator Bottiger carried by the following vote: Yeas, 24; nays, 21; absent 01; excused, 03.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hughes, Hurley, McDermott, McManus, Moore, Owen, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 24.

Voting nay: Senators Barr, Benitz, Clarke, Craswell, Deccio, Fuller, Guess, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Patterson, Pullen, Quigg, Rasmussen, Sellar, von Reichbauer, Zimmerman - 21.

Absent: Senator Newhouse - 1.

Excused: Senators Bluechel, Haley, Hansen - 3.

## MOTIONS

On motion of Senator Shinpoch, Senate Concurrent Resolution Nos. 101, 107, 119 and 124, which were on the second reading calendar, were returned to the Committee on Rules.

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

There being no objection, the Senate resumed consideration of Substitute Senate Bill No. 3434 and the pending amendment by Senator Vognild to page 17, line 20, deferred April 26, 1983.



## RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the point of order raised by Senator Metcalf the President finds that Substitute Senate Bill No. 3434 is a measure which increases the amount of money that non-profit organizations may collect from fund raising activities and allows members of an organization to participate in gambling activities at any chapter.

"The amendment proposed by Senator Vognild, simply permits the payment of a voluntary contribution by social dice game players to help defray club expenses.

"The President, therefore, finds that the proposed amendment does not expand the scope and object of the bill and that the point of order is not well taken."

The amendment was ruled in order.

Debate ensued.

## POINT OF INQUIRY

Senator Pullen: "Senator Vognild, the last half of the amendment states that a record of such contributions must be maintained by the organization for a period of three years. Is that intended to be a rolling three-year period, such that after a period into the future they will eliminate the record back three years in the past, or is this intended to be a single three-year period from the effective date of the act and at the end of that three-year period they will no longer be keeping such records?"

Senator Vognild: "It's intended to be a rolling three-year period to coincide with the general application of the laws by the Gambling Commission."

Further debate ensued.

## POINT OF INQUIRY

Senator Guess: "Senator Vognild, do the houses that have dice games realize that this amendment is on the floor of the Senate?"

Senator Vognild: "Yes, they do."

Senator Guess: "Are they going to have to set up a bookkeeping system and a computer in order to have somebody sit there with a teller machine so they can determine that every hour on the hour somebody puts a buck into the--are they going to have slots or how are they going to do that?"

Senator Vognild: "The amendment says that the contribution is voluntary. The intention of the record keeping is that the club simply keep records of the amount of money that they received from this sort so the Gambling Commission will have that on record."

Senator Guess: "But it says that 'a record of such contributions to be maintained with it'--do you mean that you're going to have to put everybody's name on the records that you're going to keep?"

Senator Vognild: "No, Senator. I would presume that they will make a recording once a day on how much money was contributed by particular people."

Further debate ensued.

## POINT OF ORDER

Senator Rasmussen: "On a previous discussion I raised the point of order, does it require a sixty percent vote on gambling issues?"

## RULING BY THE PRESIDENT

President Cherberg: "Yes, Senator Rasmussen, you did. If you wish, I will announce that now.

"In reply to Senator Rasmussen's inquiry as to the percentage of votes required to pass Substitute Senate Bill No. 3434, the President believes that this measure expands gambling by a substantial increase in the amount of money that nonprofit organizations may raise from fund-raising activities.

"The President further believes that any legislation which liberalizes, extends or expands gambling requires a sixty percent vote."

The President declared the question before the Senate to be adoption of the amendment by Senator Vognild to page 17, line 20.

The motion by Senator Vognild failed and the amendment was not adopted.

## MOTION

On motion of Senator Vognild, the rules were suspended, Engrossed Substitute Senate Bill No. 3434 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3434.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 3434, and the bill passed the Senate by the following vote: Yeas, 31; nays, 14; absent, 1; excused, 3.

Voting yea: Senators Barr, Bauer, Bender, Bottiger, Clarke, Conner, Deccio, Fleming, Fuller, Gaspard, Granlund, Hughes, Hurley, Jones, Kiskaddon, McManus, Moore, Owen, Patterson, Peterson, Quigg, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Wjahn, Woody - 31.

Voting nay: Senators Benitz, Craswell, Goltz, Guess, Hayner, Hemstad, Lee, McCaslin, McDermott, Metcalf, Pullen, Rasmussen, Williams, Zimmerman - 14.

Absent: Senator Newhouse - 1.

Excused: Senators Bluechel, Haley, Hansen - 3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3434, having received the constitutional 60% majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Senator Shinpoch, Engrossed Senate Bill No. 3243 and Substitute Senate Bill No. 3589, which were on the second reading calendar, were returned to the Committee on Rules.

## SIGNED BY THE PRESIDENT

The President signed:  
SENATE BILL NO. 3519.

## MOTION

At 11:10 a.m., on motion of Senator Shinpoch, the Senate recessed until 1:30 p.m.

## AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

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

## MOTION

On motion of Senator Owen, the following resolution was adopted:

## SENATE RESOLUTION 1983-17

By Senators Conner and Owen

WHEREAS, The Hood Canal bridge was reopened to traffic on October 24, 1982; and

WHEREAS, The Hood Canal bridge is an integral part of the highway system of the State of Washington, and a vital link to the Olympic peninsula; and

WHEREAS, The bridge tolls were substantially increased upon re-opening of the bridge; and

WHEREAS, The Olympic peninsula has been severely impacted by the loss of the Hood Canal bridge from February 13, 1979 to October 24, 1982; and

WHEREAS, The increased bridge tolls have created an additional financial burden on the residents of the Olympic peninsula;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, that the Transportation Commission shall reduce the tolls on the Hood Canal bridge, if at any time during the biennium the toll revenue from the bridge will be substantially greater than the combination of the debt service as required by the 1963 ferry and Hood Canal bridge refunding revenue bond covenants, and the cost of maintaining and operating the bridge and its related toll facilities; and

BE IT FURTHER RESOLVED, That the Transportation Commission shall no longer charge a toll for crossing the Hood Canal bridge when the outstanding bonds and other obligations required by the 1963 ferry and Hood Canal bridge refunding revenue bond covenants are satisfied.

## MOTION

On motion of Senator Warnke, the following resolution was adopted:

## SENATE RESOLUTION 1983-39

By Senators Warnke and Pullen

WHEREAS, The small entrepreneur is the backbone of the private enterprise system which is integral to the foundations of our state and nation; and

WHEREAS, In the state of Washington, where the logging industry is of vital importance, the welfare of independent loggers such as Clyde Sprague, a logger who has toiled for over thirty years in the forests of this state, is of paramount concern; and

Whereas, A foreign firm recently refused to honor its contractual obligation to purchase logs from Clyde Sprague, thereby doing great financial damage to Mr. Sprague and great psychological damage to other independent loggers; and

WHEREAS, The stability, viability, and reliability of foreign and domestic purchasers of timber in this state and their compliance with contractual obligations is important to the well-being of the citizens of this state;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the state of Washington, that the members of the Senate express their support of the logging and timber industry and the individual loggers of the state of Washington and the interest in developing methods to better facilitate resolution of disputes involving contracts and compliance with contractual obligations; and

BE IT FURTHER RESOLVED, That foreign governments are hereby requested to exert pressure on their national firms to adhere faithfully to all contractual obligations; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to the Washington State Department of Commerce and Economic Development, the members of the congressional delegation from Washington State, the United States State Department and the governments of those foreign countries normally doing business with Pacific Northwest loggers.

## MOTION

On motion of Senator Haley, the following resolution was adopted:

## SENATE RESOLUTION 1983-43

By Senators Haley, Rasmussen, Metcalf, Bluechel, Deccio, McCaslin, Craswell, Zimmerman, Granlund, von Reichbauer, McManus, Hurley, Hayner, Pullen, Quigg, Sellar and Jones

WHEREAS, The week of April 24 through 30, 1983 has been proclaimed both National Organ Donation Awareness Week and The Third Annual Organ Donation Week in Washington State; and

WHEREAS, Organ Donation Awareness Week originated in our own state in 1981; and

WHEREAS, Those who care and have foresight may save another's life, improve someone's life, or contribute to the advancement of medical science by becoming an organ donor; and

WHEREAS, Despite the generosity of persons who have volunteered to donate organs, many medically eligible patients fail to receive organ transplants due to a lack of suitable donors;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That the citizens of this State be urged, particularly during Organ Donation Awareness Week, to pledge an anatomical gift of themselves to those who are less fortunate; and

BE IT FURTHER RESOLVED, That the Washington State Medical Association Auxiliary, the Washington State Medical Association, the Organ Donation Association, Honorary State Chairmen Nancy Evans and Sally Gorton, and National Honorary

Chairman Barbara Bush, each be commended for their efforts in organizing Organ Donation Awareness Week.

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

SECOND READING

SUBSTITUTE HOUSE BILL NO. 234, by Committee on Transportation (originally sponsored by Representatives Martinis and Isaacson) (by Governor Spellman request)

Adopting the transportation budget.

The bill was read the second time.

MOTION

Senator Peterson moved that the following Committee on Transportation amendment not be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The transportation budget of the state is hereby adopted and, subject to the provisions hereinafter set forth, the several amounts hereinafter specified, or so much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the several accounts and funds hereinafter named to the designated state agencies and offices for salaries, wages, and other expenses, for capital projects, and for other specified purposes, including the payment of any final judgments arising out of such activities, for the period ending June 30, 1985.

NEW SECTION, Sec. 2. FOR THE TRAFFIC SAFETY COMMISSION

Highway Safety Fund Appropriation—State .....	\$	271,672
Highway Safety Fund Appropriation—Federal .....	\$	5,733,875
Total Appropriation .....	\$	6,005,547

NEW SECTION, Sec. 3. FOR THE BOARD OF PILOTAGE COMMISSIONERS

General Fund—Pilotage Account Appropriation—State .....	\$	71,900
---------------------------------------------------------	----	--------

The appropriation in this section is appropriated to carry out chapter 88.16 RCW.

NEW SECTION, Sec. 4. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

Motor Vehicle Fund Appropriation .....	\$	514,276
----------------------------------------	----	---------

(1) The funds appropriated under this section may not be used for the matching funds program.

(2) The state auditor shall conduct a legal/fiscal audit of the expenditure of funds appropriated under this section to determine if the expenditures are consistent with the conditions and limitations of the motor vehicle fund. The audit shall be submitted to the legislative transportation committee by July 1, 1984.

NEW SECTION, Sec. 5. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Motor Vehicle Fund Appropriation—State .....	\$	284,502
----------------------------------------------	----	---------

The county road administration board shall monitor expenditures by counties of county road levy revenues and shall report all expenditures of these revenues for other than road construction and maintenance purposes to the legislative transportation committee annually beginning January 1, 1984.

NEW SECTION, Sec. 6. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Motor Vehicle Fund—Rural Arterial Trust Account Appropriation—State .....	\$	12,500,000
---------------------------------------------------------------------------	----	------------

(1) The appropriation in this section is provided for implementing and administering the program of financial assistance to counties for the construction and improvement of county major and minor collectors in rural areas.

(2) The appropriation in this section is contingent upon the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

NEW SECTION, Sec. 7. FOR THE URBAN ARTERIAL BOARD

Motor Vehicle Fund—Urban Arterial Trust Account Appropriation—State .....	\$	64,225,900
---------------------------------------------------------------------------	----	------------

The appropriation in this section is provided for implementing and administering the program of financial assistance to cities and counties in urban areas for urban arterial highways, roads, and streets and is subject to the following conditions and limitations:

(1) The appropriation includes \$6,000,000 from the proceeds of the sale of first authorization bonds provided for by RCW 47.26.420 through 47.26.427.

(2) The appropriation includes \$50,000,000 from the proceeds of the sale of Series III Urban Arterial bonds provided for by RCW 47.26.420 through 47.26.427, contingent on the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

(3) During the 1983-85 biennium, the urban arterial board shall not authorize any additional projects which in the board's judgment cannot be placed under contract for construction within eighteen months of authorization.

NEW SECTION, Sec. 8. FOR THE STATE PATROL

Motor Vehicle Fund—State Patrol Highway Account Appropriation .....	\$	103,518,024
Highway Safety Fund Appropriation .....	\$	11,875
Total Appropriation .....	\$	103,529,899

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.

NEW SECTION, Sec. 9. FOR THE WASHINGTON STATE PATROL

(1) Provide funds to study the feasibility of co-location in a new facility with the department of emergency services. "MV, State Patrol Hiwy Acct." as used in this section, means the state patrol highway account in the motor vehicle fund.

	Reappropriation	Appropriation
MV. State Patrol Hiwy Acct		118,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
	5,785,200	5,903,200

(2) To provide minor repairs and improvements to existing facilities.

	Reappropriation	Appropriation
MV. State Patrol Hiwy Acct		262,600
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
		262,600

(3) To design, construct and equip a new weigh station and truck inspection facility at the southbound I-5 weigh station at Bellingham.

	Reappropriation	Appropriation
MV. State Patrol Hiwy Acct		462,700
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
		462,700

(4) To provide for maintenance and emergency repair projects to protect equipment and buildings.

	Reappropriation	Appropriation
MV. State Patrol Hiwy Acct		65,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
		65,000

NEW SECTION, Sec. 10. FOR THE LEGISLATIVE TRANSPORTATION COMMITTEE

Motor Vehicle Fund Appropriation—State .....	\$	1,628,000
----------------------------------------------	----	-----------

NEW SECTION, Sec. 11. FOR THE TRANSPORTATION COMMISSION

General Fund—Aeronautics Account Appropriation—State .....	\$	802
General Fund Appropriation—State .....	\$	1,771
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation—State .....	\$	15,772
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation—State .....	\$	44,575
Motor Vehicle Fund Appropriation—State .....	\$	336,228

Total Appropriation .....	\$	399,148
The appropriations in this section are provided for the salaries, wages, and other expenses necessary for the operation of the transportation commission and commission staff.		
<b>NEW SECTION, Sec. 12. FOR THE DEPARTMENT OF TRANSPORTATION—EXECUTIVE MANAGEMENT AND MANAGEMENT SERVICES—PROGRAM S</b>		
General Fund—Aeronautics Account Appropriation—State .....	\$	7,098
General Fund Appropriation—State .....	\$	15,675
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation—State .....	\$	139,599
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation—State .....	\$	394,546
Motor Vehicle Fund Appropriation—State .....	\$	20,116,112
Total Appropriation .....	\$	20,673,030

The appropriations in this section are provided for executive management, management services, and costs billed to the department of transportation by other agencies. \$584,000 of the motor vehicle fund—state appropriation is contingent on the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

<b>NEW SECTION, Sec. 13. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MANAGEMENT AND SUPPORT—PROGRAM P</b>		
Motor Vehicle Fund Appropriation—State .....	\$	12,558,638

The appropriation in this section is provided for the management and support of the highway programs, for any necessary increase in stores, for necessary pit and stockpile sites and write-off of obsolete stores, pits, and stockpiles. \$300,000 of the appropriation is contingent on the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

<b>NEW SECTION, Sec. 14. FOR THE DEPARTMENT OF TRANSPORTATION—CONSTRUCTION MANAGEMENT AND SUPPORT—PROGRAM D</b>		
Motor Vehicle Fund Appropriation—State .....	\$	19,621,769

The appropriation in this section is provided for the improvement and construction of buildings and other highway plant construction, for management and support of the highway construction programs, and for administrative support necessary to support cities and counties in obtaining federal aid. \$1,600,000 of the appropriation is contingent on the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

<b>NEW SECTION, Sec. 15. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION AND PLANNING—PROGRAM T</b>		
----------------------------------------------------------------------------------------------------------------	--	--

(1) For public transportation and rail programs:

General Fund Appropriation—State .....	\$	462,000
General Fund Appropriation—Federal .....	\$	5,448,000
General Fund Appropriation—Local .....	\$	198,000

(2) For planning and research:

Motor Vehicle Fund Appropriation—State .....	\$	2,852,000
Motor Vehicle Fund Appropriation—Federal .....	\$	10,085,000
Total Public Transportation and Planning Appropriation .....	\$	19,045,000

The appropriations in this section are provided for the management and support of the public transportation and planning division, urban mass transportation administration programs, for rail programs, for state loans for formation of public transportation districts, for studies which support local public transportation programs, for maintenance of the state transportation plan, for highway planning and research by the department of transportation, and for research and studies approved by the department of transportation.

<b>NEW SECTION, Sec. 16. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION AND PLANNING—PROGRAM T</b>		
General Fund Appropriation—State .....	\$	200,000

The reappropriation in this section is provided for the completion of studies authorized and funded by the consent order between Chevron USA and the United States department of energy.

<b>NEW SECTION, Sec. 17. FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM W</b>		
------------------------------------------------------------------------------------	--	--

Motor Vehicle Fund—Puget Sound Reserve Account Appropriation—State .....	\$	4,057,207
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation—State .....	\$	45,000,000
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation—State .....	\$	42,113,000
Motor Vehicle Fund—Puget Sound Capital Construction Account—Appropriation—Federal .....	\$	4,000,000
Total Appropriation .....	\$	95,170,207

The appropriations in this section are provided for the management and support of the marine transportation division of the department of transportation and for the operation, maintenance, and capital improvements of the Washington state ferry system. \$15,265,000 of the motor vehicle fund—Puget Sound capital construction account—state appropriation is contingent upon the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature. The appropriations are subject to the following conditions and limitations:

- (1) The Puget Sound reserve account appropriation is provided to carry out RCW 47.60.420.
- (2) The Puget Sound ferry operations account appropriation is provided for the operation and maintenance of the Washington state ferries, supplementing revenues available from the Washington state ferry system. The Puget Sound ferry operations account appropriation includes \$22,400,000 transferred from the Puget Sound capital construction account in accordance with RCW 47.60.505. Upon enactment of Substitute House Bill No. 235, the amount transferred from the Puget Sound capital construction account shall be \$17,700,000.
- (3) The Puget Sound capital construction account appropriation is provided for improving the Washington state ferry system, including, but not limited to, vessel acquisition, vessel construction, major and minor vessel improvements, and terminal construction and improvements. The appropriation of state funds from the Puget Sound capital construction account contains \$27,600,000 of the proceeds from the sale of bonds authorized by RCW 47.60.560: PROVIDED, That the transportation commission in consultation with the legislative transportation committee may authorize the use of current revenues available to the Puget Sound capital construction account in lieu of bond proceeds for any part of the state appropriation. \$5,600,000 of these bond proceeds are contingent upon the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.
- (4) The department of transportation may transfer any appropriation contained in this section, subject to the prior approval of the transportation commission.
- (5) Effective May 1, 1983, the tolls on the Hood Canal bridge shall be reduced to \$2.00 for an automobile, pickup, van, or motor home licensed under 8,000 pounds gross weight. A book of twenty tickets for a one-way crossing by these vehicles shall be \$32.00. A book of ten tickets for one-way crossing by these vehicles available only to senior citizen purchasers of sixty-five years of age or older shall be \$16.00. The commission shall establish a thirty-day period within which all ticket books previously issued shall be redeemable.

**NEW SECTION, Sec. 18. FOR THE DEPARTMENT OF TRANSPORTATION—AERONAUTICS—PROGRAM F**

General Fund—Aeronautics Account Appropriation—State .....	\$	1,786,000
General Fund—Aeronautics Account Appropriation—Federal .....	\$	95,500
Total Appropriation .....	\$	1,881,500

The appropriations in this section are provided for management and support of the aeronautics division, state fund grants to local airports, development and maintenance of a state-wide airport system plan, maintenance of state-owned emergency airports, federal inspections, and the search and rescue program. \$584,000 of the general fund aeronautics account—state appropriation is contingent upon the enactment of Senate Bill No. 3211 during the 1983 session of the legislature.

**NEW SECTION, Sec. 19. FOR THE DEPARTMENT OF TRANSPORTATION—SEARCH AND RESCUE—PROGRAM F**

General Fund—Search and Rescue Account Appropriation—		
State .....	\$	111,000

The appropriation in this section is provided for directing and conducting searches for missing, downed, overdue, or presumed downed general aviation aircraft; for safety and education activities necessary to insure safety of persons operating or using aircraft; and for the Washington wing civil air patrol in accordance with RCW 47.68.370.

**NEW SECTION, Sec. 20. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE AND OPERATIONS—PROGRAM M**

Motor Vehicle Fund Appropriation—State .....	\$	150,294,367
Motor Vehicle Fund Appropriation—Local .....	\$	3,119,000
Total Appropriation .....	\$	153,413,367

The appropriations in this section are for the maintenance and operations of state highways, maintenance and operations of highway plants, and associated management and support.

**NEW SECTION, Sec. 21. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM A**

Motor Vehicle Fund Appropriation—State .....	\$	106,100,000
Motor Vehicle Fund Appropriation—Federal and Local .....	\$	118,700,000
Total Appropriation .....	\$	224,800,000

The appropriations in this section are provided for the location, design, right of way, and construction of state highway projects designated as category "A" under RCW 47.05.030.

\$45,100,000 of the motor vehicle fund—state appropriation is contingent upon enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

**NEW SECTION. Sec. 22. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM B**

Motor Vehicle Fund Appropriation—State .....	\$	46,400,000
Motor Vehicle Fund Appropriation—Federal and Local .....	\$	428,400,000
Total Appropriation .....	\$	474,800,000

The appropriations in this section are provided for the location, design, right of way, and construction of state highway projects on the interstate system designated as category "B" under RCW 47.05.030.

The motor vehicle fund state appropriation will be funded with the proceeds of the sale of bonds authorized in RCW 47.10.790 and 47.10.801: PROVIDED, That the transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

Sec. 23. Section 2, chapter 316, Laws of 1981 as amended by section 2, chapter 19, Laws of 1982 and RCW 47.10.802 are each amended to read as follows:

Upon request being made by the transportation commission, the state finance committee shall supervise and provide for the issuance, sale, and retirement of the bonds authorized by RCW 47.10.801 in accordance with chapter 39.42 RCW. The amount of such bonds issued and sold under RCW 47.10.801 through 47.10.809 in any biennium may not exceed the amount of a specific appropriation therefor. Such bonds may be sold from time to time in such amounts as may be necessary for the orderly progress of the state highway improvements specified in RCW 47.10.801. The amount of bonds issued and sold under RCW 47.10.801(1)(a) in any biennium shall not, except as provided in that section, exceed the amount required to match federal-aid interstate funds (~~(appropriated)~~ available to the state of Washington (~~under 23 U.S.C. Sec. 104 and available for obligation~~)). The transportation commission shall give notice of its intent to sell bonds to the legislative transportation committee (~~(at least forty-five days)~~) before requesting the state finance committee to issue and sell bonds authorized by RCW 47.10.801(1)(a).

**NEW SECTION. Sec. 24. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM C**

Motor Vehicle Fund Appropriation—State .....	\$	132,000,000
Motor Vehicle Fund Appropriation—Local .....	\$	900,000
Total Appropriation .....	\$	132,900,000

The appropriations in this section are provided for the location, design, right of way, and construction of state highway projects designated as category "C" under RCW 47.05.030.

The motor vehicle fund state appropriation will be funded with the proceeds from the sale of bonds authorized in RCW 47.10.801: PROVIDED, That the transportation commission in consultation with the legislative transportation committee may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

\$32,000,000 of the motor vehicle fund—state appropriation is contingent upon enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

**NEW SECTION. Sec. 25. FOR THE DEPARTMENT OF TRANSPORTATION—COUNTY-CITY PROGRAM—PROGRAM R**

Motor Vehicle Fund Appropriation—State .....	\$	1,638,578
Motor Vehicle Fund Appropriation—Federal and Local .....	\$	129,629,300
Total Appropriation .....	\$	131,267,878

The appropriations in this section are provided for the County-City Program—Program R. The appropriations are subject to the following conditions and limitations:

(1) The appropriations contain \$497,578 of state funds and \$89,553,342 of federal and local funds for reimbursable expenditures for the location, design, right of way, and construction on city streets and county roads and other nonstate highways, including the unexpended balance of state funds from the sale of bonds for Columbia Basin county roads authorized in chapter 121, Laws of 1951, chapter 311, Laws of 1955, and chapter 121, Laws of 1965, for reimbursable expenditures on cooperative projects authorized by state and/or federal laws, and for expenditures through federal emergency relief acts.

(2) The appropriations contain \$241,000 of state funds and \$1,259,000 of local funds for reimbursable expenditures for maintenance on city streets, county roads, and other nonstate highways and for expenditures in accordance with RCW 47.56.720.

(3) The appropriations contain \$900,000 of state funds for the guarantee, pursuant to RCW 47.56.712, for the payment of principal of and interest on the Spokane River toll bridge revenue refunding bonds as the bonds become due, but only to the extent that net revenues from the operation of the bridge are insufficient therefor.

(4) The appropriations contain \$8,353,958 of local funds for miscellaneous sales and services to others.



(5) The appropriations contain \$463,000 of local funds for the ongoing maintenance of the east half of the Hood Canal bridge.

(6) Appropriation of \$30,000,000 federal funds for the construction of the West Seattle bridge and for federal-aid secondary funds is contained in this section.

**NEW SECTION, Sec. 26. FOR THE DEPARTMENT OF TRANSPORTATION**  
 General Fund Appropriation—Federal ..... \$ 1,200,000

The appropriation in this section is provided for supportive services to on-the-job training programs for minority construction workers and for minority contractors' training programs: PROVIDED, That this appropriation shall be fully reimbursable from federal funds.

**NEW SECTION, Sec. 27. FOR THE DEPARTMENT OF TRANSPORTATION**  
 Motor Vehicle Fund—RV Account Appropriation Transfer—State:  
 For transfer to the Motor Vehicle Fund ..... \$ 369,072

The appropriation transfer in this section is provided for the construction and maintenance of recreation vehicle sanitary disposal systems at rest areas on the state highway system. This appropriation is part of the motor vehicle fund construction and maintenance appropriations.

Sec. 28, Section 4, chapter 151, Laws of 1977 ex. sess. and RCW 47.01.041 are each amended to read as follows:

The executive head of the department of transportation shall be the secretary of transportation, who shall be appointed by the transportation commission, and shall be paid a salary to be fixed by the governor in accordance with the provisions of RCW 43.03.040. The secretary shall be an ex officio member of the commission without a vote. The secretary shall be the chief executive officer of the commission and be responsible ((only)) to it, and shall be guided by policies established by it. The secretary shall serve until removed by the commission, but only for incapacity, incompetence, neglect of duty, malfeasance in office, or failure to carry out the commission's policies. Before a motion for dismissal shall be acted on by the commission, the secretary shall be granted a hearing on formal written charges before the full commission. An action by the commission to remove the secretary shall be final.

Sec. 29, Section 6, chapter 151, Laws of 1977 ex. sess. as amended by section 1, chapter 59, Laws of 1981 and RCW 47.01.061 are each amended to read as follows:

The commission shall meet at such times as it deems advisable but at least once every month. It may adopt its own rules and regulations and may establish its own procedure. It shall act collectively in harmony with recorded resolutions or motions adopted by majority vote of at least four members. The commission may appoint an administrative secretary, and shall elect one of its members chairman for a term of one year. The chairman shall be able to vote on all matters before the commission.

The commission shall submit to each regular session of the legislature held in an odd-numbered year its own budget proposal necessary for the commission's operations separate from that proposed for the department. ~~((Such proposal shall include the cost of such staff as the commission deems necessary to fulfill its responsibilities in an independent manner. The budget proposal shall provide for planners, policy analysts, legal counsel, consultants, and technical and clerical personnel as needed, who shall be commission employees, shall be responsible to the commission and shall have no employment relation or affiliation with the department or the legislature.))~~

Each member of the commission shall receive compensation of sixty dollars per day for each day actually spent in the performance of duties, and actual necessary traveling and other expenses in going to, attending, and returning from meetings of the commission, and actual and necessary traveling and other expenses incurred in the discharge of such duties as may be requested by a majority vote of the commission or by the secretary of transportation, but in no event shall a commissioner be compensated in any year for more than one hundred twenty days, except the chairman of the commission who may be paid compensation for not more than one hundred fifty days. Service on the commission shall not be considered as service credit for the purposes of any public retirement system.

Sec. 30, Section 10, chapter 151, Laws of 1977 ex. sess. and RCW 47.01.101 are each amended to read as follows:

The secretary shall have the authority and it shall be his or her duty, subject to policy guidance from the commission:

- (1) To serve as chief executive officer of the department with full administrative authority to direct all its activities;
- (2) To organize the department as he or she may deem necessary to carry out the work and responsibilities of the department effectively;
- (3) To designate and establish such transportation district or branch offices as may be necessary or convenient, and to appoint assistants and delegate any powers, duties, and functions to them or any officer or employee of the department as deemed necessary to administer the department efficiently;
- (4) To direct and coordinate the programs of the various divisions of the department to assure that they achieve the greatest possible mutual benefit, produce a balanced overall effort, and eliminate unnecessary duplication of activity;

(5) To adopt all department rules (~~which~~) that are subject to the adoption procedures contained in the state administrative procedure act, except rules subject to adoption by the commission pursuant to statute;

(6) To maintain and safeguard the official records of the department, including the commission's recorded resolutions and orders;

(7) To provide full staff support to the commission to assist it in carrying out its functions, powers, and duties and to execute the policy established by the commission pursuant to its legislative authority;

(8) To execute and implement the biennial operating budget for the operation of the department in accordance with chapter 43.88 RCW and with legislative appropriation and, in such manner as prescribed therein, to make and report to the commission and the legislature deviations from the planned biennial category A highway construction program necessary to adjust to unexpected delays or other unanticipated circumstances.

(9) To exercise all other powers and perform all other duties as are now or hereafter provided by law.

Sec. 31. Section 7, chapter 173, Laws of 1963 as last amended by section 7, chapter 122, Laws of 1979 ex. sess. and RCW 47.05.070 are each amended to read as follows:

~~((H))~~ The transportation commission shall approve and present to the governor and to the legislature prior to its convening, a recommended budget for the ensuing biennium. The biennial budget shall include details of proposed expenditures, and performance and public service criteria for construction, maintenance, and planning activities in consonance with the comprehensive six-year program and financial plan adopted under provisions of RCW 44.40-.070 and 47.05.040 ~~((as now or hereafter amended))~~.

~~((2) Prior to October 1st of each odd-numbered year, the transportation commission shall prepare and adopt, and may thereafter revise from time to time, a biennial operating budget for all of its activities in conformity with legislative appropriations.))~~

NEW SECTION, Sec. 32. The motor vehicle fund revenues are received at a relatively even flow throughout the year. Expenditures exceed the revenue during the accelerated summer and fall highway construction season, creating a negative cash balance during the heavy construction season. The legislature recognizes that the department of transportation may require interfund loans or other short-term financing to meet temporary seasonal cash requirements.

NEW SECTION, Sec. 33. The department of transportation may, after consultation with the legislative transportation committee, transfer any motor vehicle fund appropriations contained in sections 12 through 14 of this act into sections 20, 21, and 24 of this act, and the motor vehicle fund appropriation contained in section 20 of this act may be transferred to sections 21 and 24 of this act for expenditure.

NEW SECTION, Sec. 34. It is the intent of the legislature that the amounts assumed in this act for all revolving funds for services provided by other agencies shall not be exceeded without the prior approval of the legislative transportation committee and the department of transportation.

NEW SECTION, Sec. 35. The legislature recognizes the economic importance to the state of attracting new environmentally suitable industrial development, and that the availability of transportation services is a significant factor in attracting such industries. The transportation commission and the department of transportation shall consider these unique circumstances in determining priorities for capital expenditures.

NEW SECTION, Sec. 36. 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. 37. 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."

The President declared the question before the Senate to be the motion by Senator Peterson to not adopt the Committee on Transportation amendment.

The motion by Senator Peterson carried and the committee amendment was not adopted.

#### MOTION

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

On page 2, line 17, after "1984," insert the following:

"Until such audit is submitted to and approved by the legislative transportation committee, no new activities or projects beyond those actually funded during the 1981-83 biennium are authorized for expenditure from the motor vehicle fund."

#### MOTION

Senator Craswell moved that the following amendment by Senators Craswell, Owen and Patterson be adopted:

On page 7, line 33, following "\$17,700,000." insert:

"The department of transportation may establish duty free shops on state ferries to supplement revenues otherwise available, subject to rules and regulations adopted by the secretary of transportation."

Debate ensued.

The President declared the question before the Senate to be adoption of the amendment by Senators Craswell, Owen and Patterson.

The motion by Senator Craswell failed and the amendment was not adopted.

#### MOTION

On motion of Senator Peterson, the rules were suspended, Substitute House Bill No. 234 as amended by the Senate was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Kiskaddon: "Senator Peterson, we have yet to pass the gas tax increase, and I guess my question is, what happens if we pass this budget and we don't pass the gas tax increase or if we pass the gas tax increase that might be-- say four tenths, instead of six, what is the effect of the budget then?"

Senator Peterson: "Well, obviously, Senator, the budget would have to be revaluated and percented down accordingly. To answer your question, there would be an awful lot of maintenance and repair which would, obviously, be eliminated if the tax bill didn't pass in this budget."

Further debate ensued.

#### POINT OF INQUIRY

Senator Goltz: "It is my impression, Senator Peterson, that if this budget passes that the taxes which follow in the next bill balance one another--complement one another--so that if you vote for the project it will be necessary to vote for the taxes. Is that correct?"

Senator Peterson: "If you desire to have the improvements that the Department of Transportation has suggested, it will be necessary to follow up with the revenue that's built into the budget."

Further debate ensued.

#### MOTIONS

On motion of Senator Peterson, the rules were suspended and Substitute House Bill No. 234, as amended by the Senate, was returned to second reading and read the second time.

Senator Peterson moved to reconsider the vote by which the Committee on Transportation striking amendment failed to be adopted earlier.

The motion to reconsider the committee amendment carried and the Senate resumed consideration of the Committee on Transportation amendment.

#### MOTION

On motion of Senator Patterson, the following amendment to the Committee on Transportation amendment was adopted:

On page 2, line 6, after "1984." insert the following:

"Until such audit is submitted to and approved by the legislative transportation committee, no new activities or projects beyond those actually funded during the 1981-83 biennium are authorized for expenditure from the motor vehicle fund."

The President declared the question before the Senate to be adoption of the Committee on Transportation amendment, as amended, on reconsideration.

The motion by Senator Peterson carried and the committee amendment, as amended, on reconsideration, was adopted.

#### MOTION

On motion of Senator Peterson, the rules were suspended, Substitute House Bill No. 234 as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Substitute House Bill No. 234 as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute House Bill No. 234, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 26; nays, 22; absent, 00; excused, 01.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bottiger, Conner, Goltz, Granlund, Guess, Hansen, Hayner, Hemstad, Jones, McManus, Moore, Patterson, Peterson, Quigg, Sellar, Shipnuch, Taimadge, Thompson, Vogndild, Warnke, Wojahn, Woody - 26.

Voting nay: Senators Clarke, Craswell, Deccio, Fleming, Fuller, Gaspard, Haley, Hughes, Hurley, Kiskaddon, Lee, McCaslin, McDermott, Metcalif, Newhouse, Owen, Pullen, Rasmussen, Rinehart, von Reichbauer, Williams, Zimmerman - 22.

Excused: Senator Bluechel - 1.

SUBSTITUTE HOUSE BILL NO. 234, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 235, by Committee on Transportation (originally sponsored by Representative Martinis) (by Governor Spellman request)

Modifying gas tax provisions ('83-'85 Biennium).

The bill was read the second time.

#### MOTION

Senator Peterson moved that the following Committee on Transportation amendment be adopted:

Strike everything after the enacting clause, and insert the following:

NEW SECTION, Sec. 1. The definitions set forth in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Rural arterial program" means improvement projects on those two systems of county roads in rural areas classified as major collectors and minor collectors in accordance with the federal functional classification system.

(2) "Rural area" means every area of the state outside of areas designated as urban areas by the state transportation commission with the approval of the secretary of the United States department of transportation in accordance with federal law.

(3) "Board" means the county road administration board created by RCW 36.78.030.

NEW SECTION, Sec. 2. There is created in the motor vehicle fund the rural arterial trust account. All moneys deposited in the motor vehicle fund to be credited to the rural arterial trust account shall be expended for the construction and improvement of county major and minor collectors in rural areas and for those expenses of the board associated with the administration of the rural arterial program.

NEW SECTION, Sec. 3. For the purpose of apportioning rural arterial trust account funds, the state is divided into five regions as follows:

(1) The Puget Sound region includes those areas within the counties of King, Pierce, and Snohomish.

(2) The northwest region includes those areas within the counties of Clallam, Jefferson, Island, Kitsap, San Juan, Skagit, and Whatcom.

(3) The northeast region includes those areas within the counties of Adams, Chelan, Douglas, Ferry, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, and Whitman.

(4) The southeast region includes those areas within the counties of Asotin, Benton, Columbia, Franklin, Garfield, Kittitas, Klickitat, Walla Walla, and Yakima.

(5) The southwest region includes those areas within the counties of Clark, Cowlitz, Grays Harbor, Lewis, Mason, Pacific, Skamania, Thurston, and Wahkiakum.

NEW SECTION, Sec. 4. Funds available for expenditure by the board pursuant to section 2 of this act shall be apportioned to the five regions for expenditure upon county arterials in rural areas in the following manner:

(1) One-third in the ratio which the land area of the rural areas of each region bears to the total land area of all rural areas of the state;

(2) Two-thirds in the ratio which the mileage of county major and minor collectors in rural areas of each region bears to the total mileage of county major and minor collectors in all rural areas of the state.

The board shall adjust the schedule for apportionment of such funds to the five regions in the manner provided in this section before the commencement of each fiscal biennium.

NEW SECTION. Sec. 5. At the beginning of each fiscal biennium, the board shall establish apportionment percentages for the five regions defined in section 3 of this act in the manner prescribed in section 4 of this act for that biennium. The apportionment percentages shall be used once each calendar quarter by the board to apportion funds credited to the rural arterial trust account that are available for expenditure for rural major and minor collector projects. The funds so apportioned shall remain apportioned until expended on construction projects in accordance with rules of the board. Within each region, funds shall be allocated by the board to counties for the construction of specific rural arterial projects on major and minor collectors in accordance with the procedures set forth in this chapter.

NEW SECTION. Sec. 6. The board shall:

(1) Adopt rules necessary to implement the provisions of this chapter relating to the allocation of funds in the rural arterial trust account to counties;

(2) Adopt reasonably uniform design standards for county major and minor collectors that meet the requirements for trucks transporting commodities;

(3) Report biennially on the first day of November of the even-numbered years to the legislative transportation committee and the house and senate transportation committees regarding the progress of counties in developing plans for their rural major and minor collector construction programs and the allocation of rural arterial trust funds to the counties.

NEW SECTION. Sec. 7. The board may contract with the department of transportation to furnish any necessary staff services and facilities required in the administration of the rural arterial program. The cost of such services that are attributable to the rural arterial program, together with travel expenses in accordance with RCW 43.03.050 and 43.03.060 of the members and all other lawful expenses of the board that are attributable to the rural arterial program, shall be paid from the rural arterial trust account in the motor vehicle fund.

NEW SECTION. Sec. 8. In preparing their respective six-year programs relating to rural arterial improvements, counties shall select specific priority improvement projects for each functional class of arterial based on the rating of each arterial section proposed to be improved in relation to other arterial sections within the same functional class, taking into account the following:

(1) Its structural ability to carry loads imposed upon it;

(2) Its capacity to move traffic at reasonable speeds;

(3) Its adequacy of alignment and related geometrics;

(4) Its accident experience; and

(5) Its fatal accident experience.

The six-year construction programs shall remain flexible and subject to annual revision as provided in RCW 36.81.121.

NEW SECTION. Sec. 9. Whenever a rural arterial enters a city or town, the proper city or town and county officials shall jointly plan the improvement of the arterial in their respective long-range plans. Whenever a rural arterial connects with and will be substantially affected by a programmed construction project on a state highway, the proper county officials shall jointly plan the development of such arterial with the department of transportation district administrator. The board shall adopt rules encouraging the system development of county-city arterials in rural areas and rural arterials with state highways.

NEW SECTION. Sec. 10. Upon receipt of a county's revised six-year program, the board as soon as practicable shall review and may revise the construction program as it relates to rural arterials for which rural arterial trust account moneys are requested as necessary to conform to (1) the priority rating of the proposed project, based upon the factors in section 8 of this act, in relation to proposed projects in all other rural arterial construction programs submitted by the counties and within each region; and (2) the amount of rural arterial trust account funds that the board estimates will be apportioned to the region.

NEW SECTION. Sec. 11. The county road administration board and the urban arterial board shall jointly adopt rules to assure coordination of their respective programs especially with respect to projects proposed by the group of incorporated cities outside the boundaries of federally approved urban areas, and to encourage the system development of county-city arterials in rural areas.

NEW SECTION. Sec. 12. Counties receiving funds from the rural arterial trust account for construction of arterials shall provide such matching funds as established by rules recommended by the board, subject to review, revision, and final approval by the state transportation commission. Matching requirements shall be established after appropriate studies by the board, taking into account financial resources available to counties to meet arterial needs.

NEW SECTION. Sec. 13. Not later than November 1st of each even-numbered year the board shall prepare and present to the state transportation commission a recommended budget for expenditures from the rural arterial trust account during the ensuing biennium. The budget shall contain an estimate of the revenues to be credited to the rural arterial trust account.

The state transportation commission shall review the budget as recommended, revise the budget as it deems proper, and include the budget as revised as a separate section of the transportation budget which it shall submit to the governor pursuant to chapter 43.88 RCW.

NEW SECTION. Sec. 14. At the time the board reviews the six-year program of each county each even-numbered year, it shall consider and shall approve for inclusion in its recommended budget, as required by section 13 of this act, the portion of the rural arterial construction program scheduled to be performed during the biennial period beginning the following July 1st. Subject to the appropriations actually approved by the legislature, the board shall as soon as feasible approve rural arterial trust account funds to be spent during the ensuing biennium for preliminary proposals in priority sequence as established pursuant to section 10 of this act. Only those counties that during the preceding twelve months have spent all revenues collected for road purposes only for such purposes, including traffic law enforcement, as are allowed to the state by Article II, section 40 of the state Constitution are eligible to receive funds from the rural arterial trust account. The board shall authorize rural arterial trust account funds for the construction project portion of a project previously authorized for a preliminary proposal in the sequence in which the preliminary proposal has been completed and the construction project is to be placed under contract. At such time the board may reserve rural arterial trust account funds for expenditure in future years as may be necessary for completion of preliminary proposals and construction projects to be commenced in the ensuing biennium.

The board may, within the constraints of available rural arterial trust funds, consider additional projects for authorization upon a clear and conclusive showing by the submitting county that the proposed project is of an emergent nature and that its need was unable to be anticipated at the time the six-year program of the county was developed. The proposed projects shall be evaluated on the basis of the priority rating factors specified in section 8 of this act.

NEW SECTION. Sec. 15. Whenever the board approves a rural arterial project it shall determine the amount of rural arterial trust account funds to be allocated for such project. The allocation shall be based upon information contained in the six-year plan submitted by the county seeking approval of the project and upon such further investigation as the board deems necessary. The board shall adopt reasonable rules pursuant to which rural arterial trust account funds allocated to a project may be increased upon a subsequent application of the county constructing the project. The rules adopted by the board shall take into account, but shall not be limited to, the following factors: (1) The financial effect of increasing the original allocation for the project upon other rural arterial projects either approved or requested; (2) whether the project for which an additional allocation is requested can be reduced in scope while retaining a usable segment; (3) whether the original cost of the project shown in the applicant's six-year program was based upon reasonable engineering estimates; and (4) whether the requested additional allocation is to pay for an expansion in the scope of work originally approved.

NEW SECTION. Sec. 16. Notwithstanding any other provisions of this chapter, for the period beginning July 1, 1983, and ending June 30, 1985, the county road administration board shall once each calendar quarter apportion the funds then credited to the rural arterial trust account among the five regions of the state defined in section 3 of this act. At any time after making the quarterly apportionment, the board may allocate the funds apportioned to each region to counties within the region for the construction of specific rural arterial projects. The board shall allocate such funds to the counties based upon the priority rating of proposed projects for which rural arterial trust account moneys are requested by the counties. The board shall determine the priority of specific improvement projects based upon the rating of each proposed improvement in relation to all other proposed improvements within each region, taking into account the factors defined in section 8 of this act. Rural arterial trust account funds allocated to specific improvement projects under this section shall be paid in the manner provided in section 17 of this act. The board shall adopt emergency rules subject to the approval of the transportation commission providing for the implementation of this section.

This section shall expire on June 30, 1985.

NEW SECTION. Sec. 17. (1) Upon completion of a preliminary proposal, the county submitting the proposal shall submit to the board its voucher for payment of the trust account share of the cost. Upon the completion of an approved rural arterial construction project, the county constructing the project shall submit to the board its voucher for the payment of the trust account share of the cost. The chairman of the board or his designated agent shall approve such voucher when proper to do so, for payment from the rural arterial trust account to the county submitting the voucher.

(2) The board may adopt rules providing for the approval of payments of funds in the rural arterial trust account to a county for costs of preliminary proposal, and costs of construction of an approved project from time to time as work progresses. These payments shall at no time exceed the rural arterial trust account share of the costs of construction incurred to the date of the voucher covering the payment.

NEW SECTION. Sec. 18. The legislative body of any county feeling aggrieved by any action or decision of the board with respect to this chapter may appeal to the secretary of transportation by filing a notice of appeal within ninety days after the action or decision of the board. The notice shall specify the action or decision of which complaint is made. The secretary shall fix a time for a hearing on the appeal at the earliest convenient time and shall notify the county auditor and the chairman of the board by certified mail at least twenty days before

the date of the hearing. At the hearing the secretary shall receive evidence from the county filing the appeal and from the board. After the hearing the secretary shall make such order as in the secretary's judgment is just and proper.

Sec. 19. Section 7, chapter 120, Laws of 1965 ex. sess. as amended by section 4, chapter 235, Laws of 1977 ex. sess. and RCW 36.78.070 are each amended to read as follows:

The county road administration board shall:

(1) Establish by ~~((regulation))~~ rule, standards of good practice for county road administration~~(:)~~;

(2) Establish reporting requirements for counties with respect to the standards of good practice adopted by the board~~(:)~~;

(3) Receive and review reports from counties and reports of the county road administration engineer to determine compliance with legislative directives and the standards of good practice adopted by the board~~(:)~~;

(4) Report annually on the first day of July to the state ~~((highway commission))~~ department of transportation, the legislative transportation committee, and the house and senate transportation committees on the status of county road administration in each county. The annual report shall contain recommendations for improving administration of the county road programs;

(5) Administer the rural arterial program established by sections 1 through 18 of this act.

Sec. 20. Section 36.81.121, chapter 4, Laws of 1963 as last amended by section 3, chapter 21, Laws of 1975 1st ex. sess. and by section 2, chapter 215, Laws of 1975 1st ex. sess. and RCW 36.81.121 are each reenacted and amended to read as follows:

(1) ~~((Prior to))~~ Before July ((1-1968)) 1st of each year, the legislative authority of each county with the advice and assistance of the county road engineer, and pursuant to one or more public hearings thereon, shall prepare and adopt a comprehensive road program for the ensuing six calendar years. ~~((Such))~~ The program shall include proposed road and bridge construction work, and for those counties operating ferries shall also include a separate section showing proposed capital expenditures for ferries, docks, and related facilities. Copies of the program shall be filed with the county road administration board and with the ~~((director of highways))~~ state secretary of transportation not more than thirty days after its adoption by the legislative authority. ~~((Annually thereafter each legislative authority shall review the work accomplished under the program and determine current county road needs. Based on these findings each legislative authority shall prepare and after public hearing thereon adopt a revised and extended comprehensive road program, and each one year extension and revision shall be filed with the director of highways not more than thirty days after its adoption by the legislative authority.))~~ The purpose of this section ~~((shall be))~~ is to assure that ~~((perpetually))~~ each county shall perpetually have available advanced plans~~(:)~~ looking to the future for not less than six years as a guide in carrying out a coordinated road construction program. ~~((Such))~~ The program may at any time be revised by a majority of the legislative authority but only after a public hearing thereon.

(2) The six-year program of each county having an urban area within its boundaries shall contain a separate section setting forth the six-year program for arterial road construction based upon its long-range construction plan and formulated in accordance with regulations of the urban arterial board. The six-year program for arterial road construction shall be submitted to the urban arterial board forthwith after its annual revision and adoption by the legislative authority of each county. The six-year program for arterial road construction shall be based upon estimated revenues available for such construction together with such additional sums as the legislative authority of each county may request for urban arterials only from the urban arterial trust account for the six-year period. The arterial road construction program shall provide for a more rapid rate of completion of the long-range construction needs of major arterial roads than for secondary and collector arterial roads, pursuant to regulations of the urban arterial board.

~~((2))~~ On and after July 1, 1976 (3) Each six-year program forwarded to the ~~((director))~~ secretary in compliance with subsection (1) of this section shall contain information as to how a county will expend its moneys, including funds made available pursuant to chapter 47.30 RCW, for bicycles, pedestrians, and equestrian purposes.

Sec. 21. Section 46.68.090, chapter 12, Laws of 1961 as last amended by section 184, chapter 158, Laws of 1979 and RCW 46.68.090 are each amended to read as follows:

All moneys ~~((which))~~ that have accrued or may accrue to the motor vehicle fund from the motor vehicle fuel tax and special fuel tax shall be first expended for the following purposes:

(1) For payment of refunds of motor vehicle fuel tax and special fuel tax ~~((which))~~ that has been paid and is refundable as provided by law;

(2) For payment of amounts to be expended pursuant to appropriations for the administrative expenses of the offices of state treasurer, state auditor, and the department of licensing of the state of Washington in the administration of the motor vehicle fuel tax and the special fuel tax, ~~((said))~~ which sums ~~((to))~~ shall be distributed monthly;

(3) For payments to the rural arterial trust account in the motor vehicle fund, an amount as provided in RCW 82.36.025(2);

(4) For payments to the urban arterial trust account in the motor vehicle fund, an amount as provided in RCW 82.36.025(3); and

(5) For expenditure for highway purposes of the state as defined in RCW 46.68.130, an amount as provided in RCW 82.36.025(4).

The amount accruing to the motor vehicle fund by virtue of the motor vehicle fuel tax and the special fuel tax and remaining after payments and expenditures as provided in subsections (1) ~~((and)), (2) ((above)), (3), (4), and (5) of this section~~ shall, for the purposes of this chapter, be referred to as the "net tax amount<sup>(F)</sup>."

Sec. 22. Section 33, chapter 83, Laws of 1967 ex. sess. as amended by section 16, chapter 317, Laws of 1977 ex. sess. and RCW 47.26.270 are each amended to read as follows:

Counties and cities receiving funds from the urban arterial trust account for construction of arterials shall provide such matching funds as shall be established by regulations recommended by the urban arterial board subject to review, revision, and final approval by the state ~~((highway)) transportation commission~~. Matching requirements shall be established after appropriate studies by the board taking into account (1) financial resources available to counties and cities to meet arterial needs, (2) the amounts and percentages of funds available for road or street construction traditionally expended by counties and cities on arterials, (3) in the case of counties, the relative needs of arterials lying outside urban areas, and (4) the requirements necessary to avoid diversion of funds traditionally expended for arterial construction to other street or road purposes or to nonhighway purposes: PROVIDED HOWEVER, That for projects funded subsequent to ~~((the effective date of this 1977 amendatory act and prior to))~~ July 1, ~~((1983))~~ 1977, cities and counties may use as matching funds any moneys received from any source, except such moneys which by law may not be used for the purposes set forth in this chapter.

Sec. 23. Section 8, chapter 5, Laws of 1979 and RCW 47.26.4252 are each amended to read as follows:

Any funds required to repay the authorization of series II bonds authorized by RCW 47.26.420, as reenacted by section 3, chapter 5, Laws of 1979, or the interest thereon when due, shall first be taken from that portion of the motor vehicle fund which results from the imposition of excise taxes on motor vehicle and special fuels imposed by chapters 82.36, 82.37, and 82.38 RCW and which is distributed to the urban arterial trust account in the motor vehicle fund, subject, however, to the prior lien of the first authorization of bonds authorized by RCW 47.26.420, as reenacted by section 3, chapter 5, Laws of 1979. If the moneys distributed to the urban arterial trust account shall ever be insufficient to repay the first authorization bonds together with interest thereon, and the series II bonds or the interest thereon when due, the amount required to make such payments on such bonds or interest thereon shall next be taken from that portion of the motor vehicle fund which results from the imposition of excise taxes on motor vehicle and special fuels and which is distributed to the state, counties, cities, and towns pursuant to RCW 46.68.100 as now existing or hereafter amended. Any payments on such bonds or interest thereon taken from motor vehicle or special fuel tax revenues which are distributable to the state, counties, cities, and towns, shall be repaid from the first moneys distributed to the urban arterial trust account not required for redemption of the first authorization bonds or series II and series III bonds or interest on those bond issues.

Sec. 24. Section 10, chapter 315, Laws of 1981 and RCW 47.26.4254 are each amended to read as follows:

(1) Any funds required to repay series III bonds authorized by RCW 47.26.420, or the interest thereon, when due shall first be taken from that portion of the motor vehicle fund ~~((which))~~ that results from the imposition of excise taxes on motor vehicle and special fuels imposed by chapters 82.36, 82.37, and 82.38 RCW and ~~((which))~~ that is distributed to the urban arterial trust account in the motor vehicle fund, subject, however, to the prior lien of the first authorization of bonds authorized by RCW 47.26.420. If the moneys so distributed to the urban arterial trust account, after first being applied to administrative expenses of the urban arterial board and to the requirements of bond retirement and payment of interest on first authorization bonds and series II bonds as provided in RCW 47.26.425 and 47.26.4252, are insufficient to meet the requirements for bond retirement or interest on any series III bonds, the amount required to make such payments on series III bonds or interest thereon shall next be taken from that portion of the motor vehicle fund ~~((which))~~ that results from the imposition of excise taxes on motor vehicle and special fuels and ~~((which))~~ that is distributed to the state, counties, cities, and towns pursuant to RCW 46.68.100 ~~((as now existing or hereafter amended))~~, subject, however, to subsection (2) of this section.

(2) To the extent that moneys so distributed to the urban arterial trust account are insufficient to meet the requirements for bond retirement or interest on any series III bonds, sixty percent of the amount required to make such payments when due shall first be taken from that portion of the motor vehicle fund ((which)) that results from the imposition of excise taxes on motor vehicle and special fuels and ((which)) that is distributed to the state. The remaining forty percent shall first be taken from that portion of the motor vehicle fund that results from the imposition of excise taxes on motor vehicle and special fuels and that is distributed to the cities and towns pursuant to RCW 46.68.100(1) and to the counties pursuant to RCW 46.68.100(2). Of the



counties', cities', and towns' share of any additional amounts required in the fiscal year ending June 30, ~~((1982))~~ 1984, fifteen percent shall be taken from the counties' distributive share and eighty-five percent from the cities' and towns' distributive share. Of the counties', cities', and towns' share of any additional amounts required in each fiscal year thereafter, the percentage thereof to be taken from the counties' distributive share and from the cities' and towns' distributive share shall correspond to the percentage of funds authorized for specific county projects and for specific city and town projects, respectively, from the proceeds of series III bonds, for the period ~~((after June 30, 1981, and))~~ through the first eleven months of the prior fiscal year as determined by the chairman of the urban arterial board and reported to the state finance committee and the state treasurer not later than the first working day of June.

(3) Any payments on such bonds or interest thereon taken from motor vehicle or special fuel tax revenues ~~((which))~~ that are distributable to the state, counties, cities, and towns shall be repaid from the first moneys distributed to the urban arterial trust account not required for redemption of the first authorization bonds, series II bonds, or series III bonds or interest on these bonds.

Sec. 25. Section 82.36.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 342, Laws of 1981 and RCW 82.36.010 are each amended to read as follows:

For the purposes of this chapter:

(1) "Motor vehicle" means every vehicle ~~((which))~~ that is in itself a self-propelled unit, equipped with solid rubber, hollow-cushion rubber, or pneumatic rubber tires and capable of being moved or operated upon a public highway, except motor vehicles used as motive power for or in conjunction with farm implements and machines or implements of husbandry;

(2) "Motor vehicle fuel" means gasoline or any other flammable gas~~(:)~~ or liquid, by whatsoever name such gasoline, gas, or liquid may be known or sold, the chief use of which is as fuel for the propulsion of motor vehicles or motorboats;

(3) "Distributor" means every person who refines, manufactures, produces, or compounds motor vehicle fuel and sells, distributes, or in any manner uses it in this state; also every person engaged in business as a bona fide wholesale merchant dealing in motor vehicle fuel who either acquires it within the state from any person refining it within or importing it into the state, on which the tax has not been paid, or imports it into this state and sells, distributes, or in any manner uses it in this state;

(4) "Service station" means a place operated for the purpose of delivering motor vehicle fuel into the fuel tanks of motor vehicles;

(5) "Department" means the department of licensing;

(6) "Director" means the director of licensing;

(7) "Dealer" means any person engaged in the retail sale of liquid motor vehicle fuels;

(8) "Person" means every natural person, firm, partnership, association, or private or public corporation;

(9) "Highway" means every way or place open to the use of the public, as a matter of right, for purposes of vehicular travel;

(10) "Broker" means every person, other than a distributor, engaged in business as a broker, jobber, or wholesale merchant dealing in motor vehicle fuel or other petroleum products used or usable in propelling motor vehicles, or in other petroleum products which may be used in blending, compounding, or manufacturing of motor vehicle fuel;

(11) "Producer" means every person, other than a distributor, engaged in the business of producing motor vehicle fuel or other petroleum products used in, or which may be used in, the blending, compounding, or manufacturing of motor vehicle fuel;

(12) "Distribution" means all withdrawals of motor vehicle fuel for delivery to others, to retail service stations, or to unlicensed bulk storage plants;

(13) "Bulk storage plant" means, pursuant to the licensing provisions of RCW 82.36.070, any plant, under the control of the distributor, used for the storage of motor vehicle fuel to which no retail outlets are directly connected by pipe lines;

(14) "Marine fuel dealer" means any person engaged in the retail sale of liquid motor vehicle fuel whose place of business and or sale outlet is located upon a navigable waterway;

(15) ~~((<sup>15</sup>Weighted average retail sales price of motor vehicle fuel~~) means the average retail sales price excluding any federal excise tax of the several grades of motor vehicle fuel (other than special fuels taxed pursuant to chapter 82.38 RCW) sold by service stations throughout the state (less any state excise taxes on the sale, distribution, or use thereof) weighted to reflect the quantities sold at each different price;

~~((<sup>16</sup>))~~ "Aggregate motor vehicle fuel tax revenues" means the amount of excise taxes to be paid by distributors, retailers, and users pursuant to chapters 82.36, 82.37, and 82.38 RCW ~~((as now or hereafter amended))~~ for any designated fiscal period, whether or not such amounts are actually received by the department of licensing. The phrase does not include fines or penalties assessed for violations;

~~((<sup>17</sup>))~~ (16) "Fiscal year" means a twelve-month period ending June 30th;

~~((<sup>18</sup>))~~ "Fiscal half year" means a six-month period ending June 30th or December 31st;

~~(19))~~ (17) "State personal income" means the dollar amount published as total personal income of persons in the state for the calendar year by the United States department of commerce or its successor agency;

~~((20))~~ (18) "State personal income ratio" for any calendar year means that ratio expressed in percentage terms that is the sum of one hundred percent, plus seventy percent of the percentage increase or decrease in state personal income for the calendar year under consideration as compared to state personal income for the immediately preceding calendar year;

~~((21))~~ (19) "Motor vehicle fund revenue" means all state taxes, fees, and penalties deposited in the motor vehicle fund and all other state revenue required by statute to be deposited in the motor vehicle fund, but does not include (a) moneys derived from nonfuel tax sources which are deposited directly in the several accounts, (b) interest deposited directly in the several accounts within the motor vehicle fund, (c) federal funds, (d) proceeds from the sale of bonds, or (e) reimbursements to the motor vehicle fund for services performed by the department of transportation for others.

(20) "Alcohol" means alcohol that is produced from renewable resources and is produced in this state or in a state that extends a tax exemption or credit for the sale of alcohol produced in this state for use in motor vehicle fuel that is at least equal to a tax exemption or credit for the sale of alcohol produced in the other state for use in motor vehicle fuel.

Sec. 26. Section 1, chapter 28, Laws of 1974 ex. sess. as last amended by section 1, chapter 6, Laws of 1982 1st ex. sess. and RCW 82.36.020 are each amended to read as follows:

Every distributor shall pay, in addition to any other taxes provided by law, an excise tax to the director at a rate computed in the manner provided in RCW 82.36.025 for each gallon of motor vehicle fuel sold, distributed, or used by him in the state as well as on each gallon upon which he has assumed liability for payment of the tax under the provisions of RCW 82.36.100: PROVIDED, That under such regulations as the director may prescribe sales or distribution of motor vehicle fuel may be made by one licensed distributor to another licensed distributor free of the tax. In the computation of the tax, one-quarter of one percent of the net gallonage otherwise taxable shall be deducted by the distributor before computing the tax due, on account of the losses sustained through handling. The tax imposed hereunder shall be in addition to any other tax required by law, and shall not be imposed under circumstances in which the tax is prohibited by the Constitution or laws of the United States. The tax herein imposed shall be collected and paid to the state but once in respect to any motor vehicle fuel. An invoice shall be rendered by a distributor to a purchaser for each distribution of motor vehicle fuel.

The proceeds of the motor vehicle fuel excise tax collected on the net gallonage after the deduction provided for herein and after the deductions for ~~((refunds and costs of collection))~~ payments and expenditures as provided in RCW 46.68.090 ~~((as now or hereafter amended))~~, shall be distributed as provided in RCW 46.68.100 ~~((as now or hereafter amended))~~.

Sec. 27. Section 6, chapter 317, Laws of 1977 ex. sess. as last amended by section 2, chapter 342, Laws of 1981 and RCW 82.36.025 are each amended to read as follows:

~~((1) (a) During the fifth month of each fiscal half-year ending June 30th and December 31st of each year, the department of licensing shall compute a motor vehicle fuel tax rate to the nearest one-half cent per gallon of motor vehicle fuel by multiplying ten percent times the weighted average retail sales price of motor vehicle fuel, per gallon, sold within the state in the third month of such fiscal half-year. The department of licensing shall determine the weighted average retail sales price of motor vehicle fuel by state-wide sampling and survey techniques designed to reflect such prices for the third month of such fiscal half-year. The department shall establish reasonable guidelines for its sampling and survey methods.~~

~~(b) Subject to provisions of subsections (2) and (3) of this section the excise tax rate computed in the manner provided in subsection (1) of this section shall apply to the sale, distribution, or use of motor vehicle fuel beginning the fiscal half-year following computation of the rate and shall remain in effect for each succeeding fiscal half-year until a subsequent computation requires a change in the rate. For the first fiscal half-year after June 30, 1981, the motor vehicle fuel tax shall be thirteen and one-half cents per gallon.~~

~~(2) (a) The motor vehicle fuel tax rate for any fiscal half-year shall not exceed sixteen cents per gallon nor exceed a rate as computed in this subsection.~~

~~(b) Each fiscal half-year at the time the department of licensing computes the excise tax rate for the ensuing fiscal half-year of a fiscal year, the department shall estimate the total aggregate motor vehicle fuel tax revenues and the total of all other state revenues which will accrue to the motor vehicle fund during the fiscal year. The estimated total aggregate motor vehicle fuel tax revenues for the fiscal year shall include those revenues which the department determines will accrue during the two fiscal half-years of the fiscal year, assuming the sale, distribution, and use of motor vehicle fuel and special fuel within the state for the two fiscal half-years of the fiscal year shall be at the same volume as during the fiscal half-year last ended, adjusted however for the historic variations in sales, distribution, and use according to half-yearly periods and for projected trends, and at the weighted average retail sales price of motor vehicle fuel as last determined by the department of licensing.)~~ The motor vehicle fuel

tax rate shall be computed as the sum of the tax rate provided in subsection (1) of this section and the additional tax rates provided in subsections (2) through (4) of this section.

(1) Except as required in subsection (5) of this section, a motor vehicle fuel tax rate of fifteen cents per gallon shall apply to the sale, distribution, or use of motor vehicle fuel from July 1, 1983, through June 30, 1984, and a motor vehicle fuel tax rate of seventeen cents per gallon shall apply thereafter.

(2) An additional motor vehicle fuel tax rate of one-third cent per gallon shall apply to the sale, distribution, or use of motor vehicle fuel, and the proceeds from this additional tax rate, reduced by an amount equal to the sum of the payments under RCW 46.68.090 (1) and (2) multiplied by the additional tax rate prescribed by this subsection divided by the motor vehicle fuel tax rate provided in this section, shall be deposited in the rural arterial trust account in the motor vehicle fund for expenditures under section 2 of this act.

(3) An additional motor vehicle fuel tax rate of one-third cent per gallon shall apply to the sale, distribution, or use of motor vehicle fuel, and the proceeds from this additional tax rate, reduced by an amount equal to the sum of the payments under RCW 46.68.090 (1) and (2) multiplied by the additional tax rate prescribed by this subsection divided by the motor vehicle fuel tax rate provided in this section, shall be deposited in the urban arterial trust account in the motor vehicle fund.

(4) An additional motor vehicle full tax rate of one-third cent per gallon shall be applied to the sale, distribution, or use of motor vehicle fuel, and the proceeds from this additional tax rate, reduced by an amount equal to the sum of the payments under RCW 46.68.090 (1) and (2) multiplied by the additional tax rate prescribed by this subsection divided by the motor vehicle fuel tax rate provided in this section, shall be deposited in the motor vehicle fund to be expended for highway purposes of the state as defined in RCW 46.68.130.

(5) (a) Before the start of each fiscal year, the department of licensing shall estimate the total aggregate motor vehicle fuel tax revenues and the total of all other revenues that will accrue to the motor vehicle fund during the fiscal year. The estimated total of all other state revenues to accrue to the motor vehicle fund during the fiscal year shall include those revenues (other than the aggregate motor vehicle fuel tax revenues) which the department of transportation with the concurrence of the office of financial management determines will accrue during the ~~((two fiscal half-years of the))~~ fiscal year, assuming that collections of such revenues for the ~~((two fiscal half-years of the))~~ fiscal year shall be at the same level as during the fiscal ~~((half-year))~~ year just ended, adjusted however for historic variations in collections according to ~~((half-yearly))~~ yearly periods and for projected trends, but shall not include the proceeds of the sale of bonds, reimbursements to the motor vehicle fund for services performed by the department of transportation for others, moneys derived from nonfuel tax sources ~~((which))~~ that are deposited directly in the several accounts within the motor vehicle fund, interest deposited directly in the several accounts within the motor vehicle fund, nor federal funds. The estimated total aggregate motor vehicle fuel tax revenues for the fiscal year shall include those revenues that the department of licensing determines will accrue during the fiscal year, assuming the sale, distribution, and use of motor vehicle fuel and special fuel within the state for the fiscal year will be at the same volume as during the fiscal year last ended, adjusted however for the historic variations in sales, distribution, and use according to yearly periods and for projected trends.

~~((c))~~ (b) If the estimated aggregate motor fuel tax revenues plus all other state revenues ~~((which))~~ that will accrue to the motor vehicle fund during a fiscal year as computed in ~~((b))~~ (a) of this subsection exceed the motor vehicle fund revenue limit in the fiscal year as computed in ~~((d))~~ (c) of this subsection, the rate of motor fuel tax ~~((computed as))~~ provided in subsection (1) of this section ~~((j))~~ shall be reduced by one-half cent increments for the fiscal year only, commencing at the beginning of the ~~((ensuing))~~ fiscal ~~((half-year))~~ year, as may be necessary to reduce the estimated total revenues for the fiscal year to within the motor vehicle fund revenue limit.

~~((d))~~ (c) The motor vehicle fund revenue limit for any fiscal year shall be the previous fiscal year's motor vehicle fund revenue limit multiplied by the average state personal income ratio for the three calendar years immediately preceding the beginning of the fiscal year for which the limit is being computed. For purposes of computing the motor vehicle fund revenue limit for the fiscal year ending June 30, 1981, the phrase "the previous fiscal year's motor vehicle fund revenue limit" means the motor vehicle fund revenue collected in the fiscal year ending June 30, 1979, multiplied by the average state personal income ratio for the calendar years 1976, 1977, and 1978.

~~((3))~~ Notwithstanding any other provisions of this section the excise tax rate for any fiscal half-year shall not be less than twelve cents per gallon.

(4) Notwithstanding any other provision of this section, the maximum tax rate which may be applied during any fiscal year shall not exceed the tax rate in effect on June 30 of the prior fiscal year plus two cents per gallon.

~~((5))~~ (6) The legislative transportation committee shall study and analyze each biennium the financial condition of the motor vehicle fund and accounts thereof with particular emphasis on RCW 82.36.010 and 82.36.025.

Sec. 28. Section 82.36.100, chapter 15, Laws of 1961 as last amended by section 3, chapter 317, Laws of 1977 ex. sess. and RCW 82.36.100 are each amended to read as follows:

Every person other than a distributor who acquires any motor vehicle fuel within this state upon which payment of tax is required under the provisions of this chapter, or imports such motor vehicle fuel into this state and sells, distributes, or in any manner uses it in this state shall, if the tax has not been paid, apply for a license to carry on such activities, file bond, make reports, comply with all regulations the director may prescribe in respect thereto, and pay an excise tax at the rate computed in the manner provided in RCW 82.36.025 for each gallon thereof so sold, distributed, or used during the fiscal (~~half-year~~) year for which such rate is applicable in the manner provided for distributors, and the director shall issue a license to such person in the manner provided for issuance of licenses to distributors. The proceeds of the tax imposed by this section shall be distributed in the manner provided for the distribution of the motor vehicle fuel excise tax in RCW 82.36.020 (~~as now or hereafter amended~~). However, a distributor licensed under (~~the provisions of~~) this chapter may deliver motor vehicle fuel to an importer in individual quantities of five hundred gallons or less and assume the liability for payment of the tax to this state. Under such conditions, the importer (~~shall be~~) is exempt from the requirements of this section. For failure to comply with (~~the terms of~~) this chapter such person (~~shall be~~) is subject to the same penalties imposed upon distributors. The director shall pursue against such persons the same procedure and remedies for audits, adjustments, collection, and enforcement of this chapter as is provided with respect to distributors. Nothing (~~herein shall~~) in this section may be construed as classifying such persons as distributors.

Sec. 29. Section 3, chapter 22, Laws of 1963 ex. sess. as last amended by section 4, chapter 317, Laws of 1977 ex. sess. and RCW 82.37.030 are each amended to read as follows:

In consideration of the use of the public highways of this state, motor carriers who import motor vehicle fuel into the state of Washington in the fuel supply tank or tanks of commercial motor vehicles for use in propelling (~~said~~) those vehicles on (~~said~~) the highways (~~shall be~~) are subject to a tax for such use of the highways as hereinafter provided. A tax at the rate computed in the manner provided in RCW 82.36.025 per gallon is hereby imposed upon every motor carrier measured and determined by the number of gallons of motor vehicle fuel so imported and actually used by (~~such~~) the motor carrier in its operations within this state during the fiscal (~~half-year~~) year for which such rate is applicable.

Sec. 30. Section 4, chapter 175, Laws of 1971 ex. sess. as last amended by section 3, chapter 40, Laws of 1979 and RCW 82.38.030 are each amended to read as follows:

(1) There is hereby levied and imposed upon special fuel users a tax at the rate computed in the manner provided in RCW 82.36.025 per gallon or each one hundred cubic feet of compressed natural gas measured at standard pressure and temperature on the use of special fuel in any motor vehicle operated upon the highways of this state during the fiscal (~~half-year~~) year for which such rate is applicable.

(2) (~~Said~~) The tax shall be collected by the special fuel dealer and shall be paid over to the department as hereinafter provided: (a) With respect to all special fuel delivered by a special fuel dealer into supply tanks of motor vehicles or into storage facilities used for the fueling of motor vehicles at unbonded service stations in this state; or (b) in all other transactions where the purchaser is not the holder of a valid special fuel license issued pursuant to this chapter allowing the purchase of untaxed special fuel.

(3) (~~Said~~) The tax shall be paid over to the department by the special fuel user as hereinafter provided with respect to the taxable use of special fuel upon which the tax has not previously been imposed.

It is expressly provided that delivery of special fuel may be made without collecting the tax otherwise imposed, when such deliveries are made by a bonded special fuel dealer to special fuel users who are authorized by the department as hereinafter provided, to purchase fuel without payment of tax to the bonded special fuel dealer.

NEW SECTION. Sec. 31. Sections 1 through 18 of this act shall constitute a new chapter in Title 36 RCW.

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 on July 1, 1983.\*

#### MOTION

Senator McDermott moved that the following amendment to the Committee on Transportation amendment be adopted:

On page 38, after line 8, insert:

\*Sec. 30. Section 82.44.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.44.020 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under reciprocal agreements, the provisions of RCW 46.16.160 as now or

hereafter amended, or dealer's licenses. The annual amount of such excise tax shall be two percent of the fair market value of such vehicle.

(2) From and after August 1, 1978, and until August 1, 2008, an additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the state any such motor vehicle, and the annual amounts of such additional excise shall be two-tenths of one percent of the fair market value of such vehicle plus a tax of one-tenth of one percent of the fair market value of the vehicle dedicated to the DWI impact account created in chapter . Laws of 1983 (ESHB 239) and plus a tax of one-tenth of one percent of the fair market value of the vehicle dedicated to the noxious weed control fund for the department of agriculture which is hereby created.

(3) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

(4) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

(5) From and after the first day of July, 1982, until and including the thirtieth day of September, 1983, an additional tax is imposed equal to the taxes payable under subsections (1) and (2) of this section multiplied by the rate of tax applicable to the period shown as follows:

July 1 - September 30, 1982 - 4%

October 1 - June 30, 1983 - 7%

July 1 - September 30, 1983 - 3%\*

#### POINT OF ORDER

Senator Peterson: "Mr. President, I would raise the question of scope and object on the amendment by Senator McDermott."

Debate ensued.

#### MOTION

At 2:24 p.m., on motion of Senator Fleming, the Senate was declared to be at ease.

The President called the Senate to order at 2:45 p.m.

There being no objection, the Senate resumed consideration of Substitute House Bill No. 235.

#### RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the point of order raised by Senator Peterson the President finds that Substitute House Bill No. 235 is a measure which deals with the state motor vehicle fuel tax by adopting a flat rate tax and by increasing the amount that is collected from that tax in the next biennium.

"The amendment proposed by Senator McDermott, deals with the motor vehicle excise tax by increasing the tax by two-tenths of one percent of the fair market value of the vehicle with the proceeds divided between the DWI impact account and the noxious weed control fund in the Department of Agriculture.

"The President, therefore, finds that the proposed amendment does expand the scope and object of the bill and that the point of order is well taken."

The amendment to the committee amendment was ruled out of order.

#### MOTION

Senator Zimmerman moved that the following amendments to the Committee on Transportation amendment be considered and adopted simultaneously:

On page 2, line 10, after "RCW 36.78.030" insert

"(4) 'Border counties; means those counties physically bordering on or included within a standard metropolitan statistical area, as determined by the United States census bureau, located wholly or partially in a state which does not impose a retail sales tax; and

(5) Those counties physically bordering both on a state which does not impose a retail sales tax and a county specified in subsection (4) of this section but lying to the east of the counties specified in subsection (4) of this section."

On page 18, line 14, after "thereafter," insert the following:

"PROVIDED, that in border counties, a motor vehicle fuel tax rate of twelve cents per gallon shall apply to the sale, distribution, or use of motor vehicle fuel."

Debate ensued.

## POINT OF INQUIRY

Senator Jones: "Senator Zimmerman, your amendment seeks to exempt border counties from an increase in the gas tax. How do you justify the difference in tax rates between the border counties and the rest of the state?"

Senator Zimmerman: "Senate Bill No. 3258 passed the legislature and was signed into law on February 22, 1983. As part of that bill, the legislature provided that certain border counties along the Oregon border need not pay the increase in the sales tax that was imposed on the rest of the state. That was as a result of an amendment by Senator McDermott which passed the Senate on February 9, 1983. The border exemption is now a part of the law, and is in section 3 and section 6 of Chapter 7, Laws of 1983. Although there was also an increase in the B & O tax rate for those border counties, the revenue from the increase in the B & O tax rate did not nearly match the revenue from the sales tax exemption. If I remember correctly, the increase in the B & O tax for those counties would bring in \$800,000 for this biennium, while the loss from the sales tax exemption would be some 6.5 million dollars. As such, by precedent, the legislature has adopted a clear policy of recognizing that taxes imposed on these border counties have a special and unique impact, not seen in the rest of the state. They are in a special situation, and Senate Bill No. 3258 is clear precedent for this amendment."

Senator Patterson: "Senator Zimmerman, I know you have tremendous problems down in the Portland area but have you given consideration to the rest of the state of Washington; to the fact that it borders along Idaho for many, many miles? Do you feel that maybe there is an adverse impact on the border communities that live along the Idaho border as well as that live along the Washington/Oregon border?"

Senator Zimmerman: "Senator Patterson, I agree wholeheartedly that there is definitely an adverse effect on the full border, particularly on the Oregon and on the Idaho borders. In terms of the Idaho border, specifically, I think that the Pullman/Moscow areas are very adversely affected in much the same way that the Oregon part is affected. If I had my druthers, I would certainly have this amendment deal with the entire border of Oregon and Idaho. Earlier this year, we presented that amendment. It was voted down by this body and I regret that. I obviously feel it's definitely a border problem--the entire border."

Senator Patterson: "So this would merely add to the inequity that we created some weeks ago."

Senator Zimmerman: "This is merely adopting--"

Senator Patterson: "But does it not add to the inequity that we created--exempting the sales tax?"

Senator Zimmerman: "It exaggerates that border problem. To that extent, it is merely adopting the McDermott amendment placing it on specific businesses of gas stations, which were not affected in terms of sales tax, because there isn't a sales tax on gas, but they are very specifically adversely affected in their particular case because of this gas tax being placed on them, but I have to agree with your point of view."

Senator Patterson: "That there is a tremendous inequity created by those counties with businesses located on the border of Idaho when they are not subjected or have the opportunity for the same exemption that you are providing for the Oregon border?"

Senator Zimmerman: "If there is any way we can include the entire Idaho border, as well as the rest of the Oregon/Washington border from Walla Walla to Ilwaco, I would vote and support that wholeheartedly."

Senator Patterson: "We could very simply amend your amendment, is that correct?"

Senator Zimmerman: "I would think of that as a friendly amendment."

## POINT OF INQUIRY

Senator Wojahn: "Senator Zimmerman, the last time we were in Oregon, which was a couple of years ago, there were no self service gas stations in Oregon and I was told that they were not permitted to be involved--that they could not have self service gas stations in Oregon because of a state law. Now I don't know if that's true or not, all I know is that we couldn't find one. So, in view of that, it would seem

to me that gas was higher in Oregon than it was in Washington at that time, and in view of the fact that there may not be any self service stations where the gasoline is several cents a gallon cheaper, isn't that a reasonable competition, if in fact, they do not allow self service gas stations?"

Senator Zimmerman: "Senator Wojahn, they do not allow self service stations in Oregon. They had a vote on that and they voted down legalizing self service gas stations. That does have some effect on the gas prices there, but their gas prices and their gas tax is so much lower than ours in terms of their operations, that there is a definite differential already between Oregon and Washington. Of course, this will increase that differential if this bill were passed in its present form without an exemption on the border. But you are correct, yes."

#### POINT OF INQUIRY

Senator Vognild: "Senator Talmadge, in the supplemental revenue package, we passed an amendment similar to this, but I remember some differences, could you tell me what they were?"

Senator Talmadge: "Senator Vognild, I think that the most clear kind of differential between this proposal and the proposal in the supplemental revenue package was that while the border counties were not required to pay the sales tax increase that was imposed in that bill, the B & O tax surcharge was required for retailers in the border counties. In other words, there was, in effect, a quick pro quo diminution in the sales tax for retailers in the border counties that does not appear in this proposal. This is simply an exemption which may, in fact, have some legal problems, whereas in the supplemental revenue package it was clear that while there was a lower sales tax for people in the border counties, that was to be made up, at least, in substantial part by the B & O surcharge on retailers."

#### POINT OF INQUIRY

Senator Hughes: "Senator Zimmerman, following the line of thought of Senator Talmadge, is there any quick pro quo which you could offer? I guess I would like to explain. Many of us who voted against the exemption for our counties that border Idaho felt that was a better alternative than the higher B & O and honestly believe that the Portland magnet was a lot stronger than, let's say, the Coeur d'Alene magnet. I am wondering if you are going to offer a quick pro quo."

Senator Zimmerman: "Thank you, Senator Hughes, for that question. It is very logical, what you are describing. The point that I am trying to make is yes, the increased Business and Occupational Tax, which is paid by all businesses including service stations, will raise about \$800,000 down there, but I must point out that the service stations are the one industry--one business--that benefit not at all from the fact that there is a lower sales tax, because they are not charging sales tax. They are paying the additional B & O tax to supplement and help the other retailers, but they are not benefiting from it. All they are doing is getting one more reason for people to leave the state and buy the gas across the bridge."

Senators Bottiger, Hansen and Vognild demanded the previous question and the demand was sustained.

The President declared the question before the Senate to be adoption of the amendments by Senator Zimmerman to the Committee on Transportation amendment.

The motion by Senator Zimmerman failed and the amendments to the committee amendment were not adopted.

The President declared the question before the Senate to be adoption of the Committee on Transportation amendment.

The motion by Senator Peterson carried and the committee amendment was adopted.

#### MOTIONS

On motion of Senator Peterson, the following title amendment was adopted.

In line 8 of the title, after "46.68.090," insert "amending section 33, chapter 83, Laws of 1967 ex. sess. as amended by section 16, chapter 317, Laws of 1977 ex. sess. and RCW 47.26.270;"

On motion of Senator Peterson, the rules were suspended and Substitute House Bill No. 235, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Substitute House Bill No. 235, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute House Bill No. 235, as amended by the Senate, and the bill failed to pass the Senate by the following vote: Yeas, 08; nays, 39; absent, 01; excused, 01.

Voting yea: Senators Barr, Conner, Goltz, Guess, Hansen, McManus, Patterson, Quigg - 8.

Voting nay: Senators Bauer, Bender, Benitz, Bottiger, Clarke, Craswell, Deccio, Fleming, Fuller, Gaspard, Granlund, Haley, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Moore, Newhouse, Owen, Peterson, Pullen, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 39.

Absent: Senator Hayner - 1.

Excused: Senator Bluechel - 1.

SUBSTITUTE HOUSE BILL NO. 235, as amended by the Senate, having failed the constitutional majority, was declared lost.

#### NOTICE FOR RECONSIDERATION

Having voted on the prevailing side, Senator Peterson served notice that he would move to reconsider the vote by which Substitute House Bill No. 235, as amended by the Senate, failed to pass the Senate.

#### SECOND READING

SENATE JOINT RESOLUTION NO. 120, by Senator Moore

Authorizing a limited income tax.

#### MOTIONS

On motion of Senator McDermott, Substitute Senate Joint Resolution No. 120 was substituted for Senate Joint Resolution No. 120 and the substitute resolution was placed on second reading and read the second time.

Senator Patterson moved that the following amendment by Senators Patterson, Rinehart, Granlund, Hemstad, Metcalf, Bender, Zimmerman, Moore and Bottiger be adopted:

On page 1, after line 2, strike all the material down to and including "state." on page 2, line 22 and insert the following:

"The Senate and House of Representatives of the State of Washington recognize that many Washington State citizens and businesses believe that the current state tax system is unfair to them. Voters should be given the opportunity to choose between the current state tax system and a new state tax system.

Accordingly, at the November 8, 1983, state-wide general election there shall be submitted to the qualified voters of the state for their approval or rejection an amendment to Article VII of the Constitution of the State of Washington by adding a new section to read as follows:

"(1) The rate of the state general sales and use tax may not exceed four percent without the approval of the people by a majority vote at a state-wide November general election.

(2) The rate of the local general sales and use tax may not exceed one and six-tenths percent without the approval of the people by a majority vote at the appropriate local November general election.

(3) Every rate for every category of the state business and occupation tax may not exceed sixty-five percent of the rate in effect on March 31, 1982, without the approval of the people by a majority vote at a state-wide November general election.

(4) For property taxes payable in 1984 and every year thereafter, the state shall not levy a property tax.

(5) The income tax for individuals must be at a single rate which may not exceed four percent without the approval of the people by a majority vote at a state-wide November general election.

The rate for the individual income tax shall also be the rate for the income tax for all other taxpayers except those subject to the corporate income tax.

(6) The corporate income tax must be at a single rate which may not exceed twelve percent without the approval of the people by a majority vote at a state-wide November general election.



The election described in subsections (1), (3), (5), and (6) of this section shall be on a measure referred to the people by the legislature.

(7) In order to maintain a balanced tax system, the ratios between the maximum constitutional rates for: (a) The state general sales and use tax; (b) the state business and occupation tax; (c) the individual income tax; and (d) the corporate income tax must not be altered. If the legislature proposes a change in the maximum constitutional rates to the voters, the proposed rates must not alter this ratio. If the legislature adopts rates below the maximum constitutional rates, the lower rates must not alter this ratio. However, this shall not prevent the legislature from rounding rates to the nearest tenth of a percent.

(8) Income is not property within the meaning of this Article.

(9) No local unit of government may impose an income tax.

For the purpose of coordination with the United States income tax laws, the legislature may adopt by reference United States statutes and regulations relating to income taxes including amendments to those statutes and regulations made after such adoption."

This constitutional amendment, if approved by the required number of voters at the November 8, 1983 general election, shall take effect when the legislature enacts an implementing statute or by February 1, 1984, whichever is earlier.

The Senate and House of Representatives further resolve that the Secretary of State shall assure that notice of this proposed constitutional amendment to adopt a new tax system is published at least four times during the four weeks preceding the election in every legal newspaper in the state."

Debate ensued.

#### MOTION

Senator McDermott moved the following amendment by Senators McDermott, Gaspard, Vognild, Shipoch, Conner, Talmadge, Bottiger, Rasmussen, Bender, Wojahn, Goltz, Hurlley, Bauer, Woody, Owen, McManus, Craswell, Lee, Quigg and Zimmerman to the amendment be adopted:

On page 2, line 4, after "(3)" insert "No state or local unit of government may impose a sales tax on food products for human consumption off premises.

(4)"

Re-number remaining subsection accordingly.

#### POINT OF INQUIRY

Senator Deccio: "Senator McDermott, you are assuming that the possibility will arise that this new form of tax that Senator Rinehart is so excited about would not meet the required level of spending--you're taking off the one tax that can generate a lot of dollars. What you are suggesting would be the alternative when that day comes that this beautiful tax package does not generate the money to take the tax off food, then where do you go?"

Senator McDermott: "Senator Deccio, we will not go to a sales tax on food. We'll have to choose some other alternative. It will mean going back to the people and explaining why we need some change. What this amendment does is very tightly tie down the tax structure and I, also, want to tie down one of the major loop holes I see in it, which is that you can slide sideways to a sales tax on food. I think that, at that point, we will have to go to the people and say 'this is our problem, what do you think?' If they don't adjust it, we're going to wind up cutting programs."

Senator Deccio: "Another question--you talk about sliding sideways to pick up a food tax--you're going to cut that off--could you slide sideways to pick up anything else? Is there anything else that can be taxed or anything else not embodied in this income tax proposal that could be taxed that could raise the revenues in the event that the amount tied down in this proposal would not meet the revenue--the expenditures?"

Senator McDermott: "I think you could raise it on cigarettes, booze--things like that. I don't want to get into creating boogiemen, but I do think that food is one of those essentials in life--the food should not be taxed--that is why this is here. That is not to say that we are going to prevent any kind of other taxes being increased--the gas tax--you know a lot of things will still be possible. It's impossible to say in a constitutional amendment that you're not ever going to raise another tax in the history of the state, but I do think the food tax is a special case."

Further debate ensued.

## POINT OF INQUIRY

Senator Pullen: "Senator McDermott, I'm very sympathetic to the intent of your amendment, but I wanted to understand what you meant by 'off premises.' You say that 'no state or local unit of government may impose a sales tax on food products for human consumption off premises.' I assume you're referring to--like a fast food hamburger stand or something like that. So would that mean that it is your intent that if a person orders a hamburger to go, he doesn't have to pay the sales tax and that if he eats it in the restaurant, he does, or are you referring to all fast food chains, for example--no matter whether they serve the food to go or serve it at the restaurant itself?"

Senator McDermott: "I used this language, because it is a term of art in taxation which would--it's the present situation where you pay a sales tax on things in a restaurant or in a fast food place, but you do not in a grocery store. That is basically the intent of the amendment."

Senator Pullen: "Then they would have to pay the sales tax, even if they ordered the food to go, with the intent that they would be consuming it off premises?"

Senator McDermott: "Yes."

The President declared the question before the Senate to be adoption of the amendment on page 2, line 4, to the amendment.

The motion by Senator McDermott carried and the amendment to the amendment was adopted.

## MOTION

Senator Metcalf moved that the following amendment by Senators Metcalf, Rinehart and Moore to the amendment be adopted:

On page 2, line 13, of the amendment, after "tax.", insert "The state shall not take any action to require local government to increase property tax revenues."

Debate ensued.

The President declared the question before the Senate to be adoption of the amendment by Senators Metcalf, Rinehart and Moore to the amendment.

The motion by Senator Metcalf carried and the amendment to the amendment was adopted.

## MOTION

Senator Lee moved that the following amendment to the amendment be adopted:

On page 2, line 30, after the period insert "The state business and occupation tax shall be credited toward any corporate income tax."

## POINT OF INQUIRY

Senator Shinpoch: "Senator Lee, those businesses who did not make a profit--did not pay income tax--would they have to pay a B & O tax?"

Senator Lee: "It is my understanding that they would have to pay a B & O tax, just as they do now--as sub (3)--which is delineated in this amendment. They would still have to pay a tax."

## POINT OF INQUIRY

Senator Rasmussen: "Senator Lee, it is possible now to stack up tax credits where you are losing money--you can sell them to some other corporation, so you can hide your profit. Do you know if this company that Senator Shinpoch spoke of--because if you are not making money, can you still stack up those credits for a certain period of years? If not, you probably need a side amendment in here."

Senator Lee: "I think you are talking about the federal system. We do not have a system of that sort in the state of Washington. A business has to pay a business and occupation tax on its gross proceeds whether they are making tons of money or whether they are, in fact, in the hole and on the verge of bankruptcy. That would continue. We are only saying, with the amendment that I am proposing, that after you have paid that business and occupation tax--if you are making money

over and above that in the profit column--then you would need to pay an additional tax. You might even call it an excess profit tax, if you wish to call it something."

Further debate ensued.

Senator Lee demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on adoption of the amendment by Senator Lee to the amendment.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Lee failed and the amendment to the amendment was not adopted by the following vote: Yeas, 14; nays, 32; absent, 2; excused, 1.

Voting yea: Senators Barr, Benitz, Clarke, Craswell, Deccio, Guess, Haley, Jones, Lee, McCaslin, Pullen, Quigg, Sellar, von Reichbauer - 14.

Voting nay: Senators Bauer, Bender, Boltiger, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Hansen, Hemstad, Hughes, Hurley, Kiskaddon, McDermott, McManus, Metcalf, Moore, Owen, Patterson, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 32.

Absent: Senators Hayner, Newhouse - 2.

Excused: Senator Bluechel - 1.

#### MOTION

Senator Quigg moved that the following amendment to the amendment be adopted:

On page 2, line 16, after "percent," insert "of income less the increase of net worth"

Debate ensued.

#### POINT OF INQUIRY

Senator Hemstad: "Senator Quigg, I'm trying to understand the consequences of your amendment. Is this intended to say, basically, that any capital gains would be tax free? Is that in layman's language the impact of it? In other words, if I invest in securities on the New York Stock Exchange and show a profit when I sell it and turn around and buy another security, I assume there would be no tax to be paid on that gain, under your amendment?"

Senator Quigg: "Senator, it would depend on what you did with all of your income. In other words, on that particular transaction there may not have been, but in the meantime you may have liquidated other holdings and spent more than you gained in that particular transaction, and therefore, over all, you would end up paying a tax. Once again, it is on the increase on net worth."

Further debate ensued.

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

The motion by Senator Quigg failed and the amendment to the amendment was not adopted.

#### MOTION

Senator Craswell moved the following amendments by Senators Craswell, Deccio, Quigg, Owen and McCaslin to the amendment be considered and adopted simultaneously:

On page 1, line 29, after "percent" strike all material down to and including "election" on line 32.

On page 1, line 35, after "percent" strike all material down to and including "election" on page 2, line 3.

On page 2, line 8, after "1982" strike all material down to and including "election" on page 2, line 10.

On page 2, line 16, after "percent" strike all material down to and including "election" on line 19.

On page 2, line 27, after "percent" strike all material down to and including "election" on line 30.

On page 2, line 31, strike all material down to an including "legislature " on line 35.

Debate ensued.

Senator Deccio demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on adoption of the amendments by Senators Craswell, Deccio, Quigg, McCaslin and Owen to the amendment.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Craswell failed and the amendments to the amendment were not adopted by the following vote: Yeas, 14; nays, 30; absent, 4; excused, 1.

Voting yea: Senators Barr, Benitz, Clarke, Craswell, Deccio, Guess, Jones, Lee, McCaslin, Owen, Pullen, Quigg, Sellar, von Reichbauer - 14.

Voting nay: Senators Bauer, Bender, Bottiger, Fleming, Fuller, Gaspard, Goltz, Granlund, Haley, Hemstad, Hughes, Hurley, Kiskaddon, McDermott, McManus, Metcalf, Moore, Patterson, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 30.

Absent: Senators Conner, Hansen, Hayner, Newhouse - 4.

Excused: Senator Bluechel - 1.

#### MOTION

Senator Craswell moved that the following amendments by Senators Craswell, Deccio, Quigg and McCaslin to the amendment be considered and adopted simultaneously:

On page 2, line 4, after "(3)" delete all material through "election." on line 10 and insert "The state shall not impose any tax for the act or privilege of engaging in business activities."

On page 2, beginning on line 23, after "taxpayers" delete all material through "tax" on page 2, line 24

On page 2, beginning on line 26, after "at" delete all material through "election" on line 30 and insert "the rate imposed for the individual income tax"

On page 3, beginning on line 2, after "(b)" delete all material through "(d)" on line 4 and insert "the individual income tax; and (c)"

Debate ensued.

The President declared the question before the Senate to be adoption of the amendment by Senators Craswell, Deccio, Quigg and McCaslin.

The motion by Senator Craswell failed and the amendments to the amendment were not adopted.

#### MOTION

Senator Pullen moved the following amendment by Senators Pullen and Hansen to the amendment be adopted:

On page 3, after line 20, insert:

"(10) No state or local government may impose a business and occupation tax on the growing or producing for sale of any agricultural or horticultural produce or crop including products from animals, birds and insects.

Debate ensued.

The President declared the question before the Senate to be adoption of the amendment by Senators Pullen and Hansen to the amendment.

The motion by Senator Pullen carried and the amendment to the amendment was adopted.

#### MOTION

Senator Craswell moved the following amendments by Senators Craswell, Deccio, Quigg and McCaslin to the amendment be considered and adopted simultaneously:

On page 2, line 4, after "(3)", strike all material down to and including "election" on line 10 and insert:

"The state shall not levy a business and occupation tax for the act or privilege of engaging in business activities."

On page 3, line 2, after "(b)", strike "the state business and occupation tax (c)"

On page 3, line 4, after "and", strike "(d)" and insert "(c)"

Debate ensued.

The President declared the question before the Senate to be adoption of the amendments by Senators Craswell, Deccio, Quigg and McCaslin.

The motion by Senator Craswell failed and the amendments to the amendment were not adopted.

## MOTION

Senator Craswell moved the following amendments by Senators Craswell, Deccio, Lee and McCaslin to the amendment be considered and adopted simultaneously:

On page 2, line 19, of the amendment after "election," insert "The first four thousand dollars of income for each wage earner shall be exempt from taxation under the state individual income tax. No other exemption shall be allowed."

On page 3, line 21, strike all material down to and including "adoption" on line 28.

Debate ensued.

## POINT OF INQUIRY

Senator Rasmussen: "Senator Deccio, I just got the information here from the Ways and Means Committee--'the federal poverty level for a family of three is \$647 a month or \$7,764 per year and a family of four, it would be \$9,300.' Do you think this exemption is enough? We certainly wouldn't want to be taxing someone at the poverty level."

Senator Deccio: "Senator Rasmussen, I think at the \$4,000 level, the tax would be practically nil. I think the floor has to begin somewhere and you will find that the numbers would increase substantially before that person would be paying anything, including the \$4,000 level."

The President declared the question before the Senate to be adoption of the amendments by Senators Craswell, Deccio, Lee and McCaslin to the amendment.

The motion by Senator Craswell failed and the amendments to the amendment were not adopted.

## MOTION

Senator Craswell moved the following amendment by Senators Craswell, Deccio, Lee, Quigg, McCaslin and Owen to the amendment be adopted:

On page 2, line 13, after "a" strike "property tax," and insert:

"tax on real or personal property. The aggregate of all tax levied on real and personal property by all other taxing districts within the state now existing or hereafter created shall not in any year exceed sixty-four hundredths of one percent of the true and fair value of such property in money."

## MOTION

On motion of Senator Vognild, Senator Goltz was excused.

Further debate ensued.

Senators Bottiger, Hansen and Shinpoch demanded the previous question and the demand was sustained.

Senator Pullen demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on adoption of the amendment by Senators Craswell, Deccio, Lee, Quigg, McCaslin and Owen to the amendment.

## ROLL CALL

The Secretary called the roll and the motion by Senator Craswell failed and the amendment to the amendment was not adopted by the following vote: Yeas, 20; nays, 26; absent, 1; excused, 2.

Voting yea: Senators Barr, Benitz, Clarke, Craswell, Deccio, Fuller, Guess, Hansen, Hayner, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Owen, Pullen, Quigg, Sellar, von Reichbauer - 20.

Voting nay: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Granlund, Haley, Hemstad, Hughes, Hurley, McDermott, McManus, Moore, Patterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 26.

Absent: Senator Peterson - 1.

Excused: Senators Bluechel, Goltz - 2.

## MOTION

Senator Craswell moved the following amendment by Senators Craswell, Deccio, Quigg, Owen, McCaslin and Haley to the amendment be adopted:

On page 3, after line 20, insert:

"(10) The Legislature shall not authorize any new state tax or increase the rate of an existing state tax not limited in sections (1) through (6) of this Article."

Debate ensued.

Senator Deccio demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on adoption of the amendment by Senators Craswell, Deccio, Quigg, Owen, McCaslin and Haley.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Craswell failed and the amendment to the amendment was not adopted by the following vote: Yeas, 20; nays, 27; excused, 2.

Voting yea: Senators Barr, Benitz, Clarke, Conner, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Jones, Lee, McCaslin, Newhouse, Owen, Pullen, Quigg, Rasmussen, Sellar, von Reichbauer - 20.

Voting nay: Senators Bauer, Bender, Bottiger, Fleming, Gaspard, Granlund, Hansen, Hemstad, Hughes, Hurley, Kiskaddon, McDermott, McManus, Metcalf, Moore, Patterson, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 27.

Excused: Senators Bluechel, Goltz - 2.

The President declared the question before the Senate to be adoption of the amendment by Senators Patterson, Rinehart, Granlund, Metcalf, Hemstad, Zimmerman, Bender, Moore and Bottiger, as amended.

The motion by Senator Patterson carried and the amendment, as amended, was adopted.

#### MOTIONS

On motion of Senator McDermott, the rules were suspended, Engrossed Substitute Senate Joint Resolution No. 120 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

On motion of Senator McDermott, further consideration of Engrossed Substitute Senate Joint Resolution No. 120 was deferred.

#### MOTION

On motion of Senator Shinpoch, the Senate advanced to the eighth order of business.

#### MOTION FOR RECONSIDERATION

Having served prior notice, Senator Talmadge moved that the Senate reconsider the vote by which Senate Bill No. 3090 failed to pass the Senate on April 26, 1983.

Senator Clarke demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Talmadge to reconsider the vote by which Senate Bill No. 3090 failed to pass the Senate.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Talmadge for reconsideration carried by the following vote: Yeas, 26; nays, 20; absent, 1; excused, 2.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Granlund, Hansen, Hughes, Hurley, McDermott, McManus, Moore, Owen, Peterson, Pullen, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 26.

Voting nay: Senators Barr, Benitz, Clarke, Craswell, Fuller, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Sellar, von Reichbauer, Zimmerman - 20.

Absent: Senator Deccio - 1.

Excused: Senators Bluechel, Goltz - 2.

The President declared the question before the Senate to be the roll call on final passage of Senate Bill No. 3090, on reconsideration.

#### ROLL CALL

The Secretary called the roll on final passage of Senate Bill No. 3090, on reconsideration, and the bill passed the Senate by the following vote: Yeas, 26; nays, 21; excused, 2.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Granlund, Hansen, Hughes, Hurley, McDermott, McManus, Moore, Owen, Peterson, Pullen, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 26.

Voting nay: Senators Barr, Benitz, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Sellar, von Reichbauer, Zimmerman - 21.

Excused: Senators Bluechel, Goltz - 2.

SENATE BILL NO. 3090, on reconsideration, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Shinpoch, the Senate reverted to the fifth order of business.

#### INTRODUCTION AND FIRST READING

SCR 128 by Senators Talmadge, Hughes, Bauer, Woody, Moore, Metcalf, Rasmussen, Fleming, Wojahn, Gaspard and Bender

Creating the Joint Select Committee on Seattle-First National Bank crisis.

#### MOTIONS

On motion of Senator Shinpoch, the rules were suspended, Senate Concurrent Resolution No. 128 was advanced to second reading and read the second time.

On motion of Senator Talmadge, the rules were suspended, Senate Concurrent Resolution No. 128 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Senate Concurrent Resolution No. 128.

#### ROLL CALL

The Secretary called the roll on final passage of Senate Concurrent Resolution No. 128 and the resolution passed the Senate by the following vote: Yeas, 37; nays, 9; absent, 1; excused, 2.

Voting yea: Senators Bauer, Bender, Bottiger, Clarke, Conner, Fleming, Fuller, Gaspard, Granlund, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 37.

Voting nay: Senators Barr, Benitz, Craswell, Guess, Haley, McCaslin, Pullen, Quigg, Sellar - 9.

Absent: Senator Deccio - 1.

Excused: Senators Bluechel, Goltz - 2.

SENATE CONCURRENT RESOLUTION NO. 128, having received the constitutional majority, was declared passed.

#### INTRODUCTION AND FIRST READING

SCR 129 by Senators McManus, Rinehart and Jones

Establishing a joint legislative committee on the arts.

#### MOTIONS

On motion of Senator Shinpoch, the rules were suspended, Senate Concurrent Resolution No. 129 was advanced to second reading and read the second time.

On motion of Senator McManus, the rules were suspended, Senate Concurrent Resolution No. 129 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Senate Concurrent Resolution No. 129.

#### ROLL CALL

The Secretary called the roll on final passage of Senate Concurrent Resolution No. 129 and the resolution passed the Senate by the following vote: Yeas, 29; nays, 10; absent, 8; excused, 2.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Fuller, Gaspard, Granlund, Hansen, Hayner, Hemstad, Hurley, Jones, McDermott, McManus, Moore, Patterson, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognlid, Warnke, Williams, Wojahn, Woody, Zimmerman - 29.

Voting nay: Senators Barr, Benitz, Clarke, Craswell, Haley, McCaslin, Metcalf, Pullen, Quigg, von Reichbauer - 10.

Absent: Senators Deccio, Guess, Hughes, Kiskaddon, Lee, Newhouse, Owen, Sellar - 8.

Excused: Senators Bluechel, Goltz - 2.

SENATE CONCURRENT RESOLUTION NO. 129, having received the constitutional majority, was declared passed.

#### INTRODUCTION AND FIRST READING

SCR 130 by Senators Peterson, Guess, Sellar, Patterson, Haley, Barr, Hansen, Vognlid, von Reichbauer, Bender, Granlund and Owen

Assigning topics of study to the Legislative Transportation Committee and the standing committees on transportation.

#### MOTIONS

On motion of Senator Shinpoch, the rules were suspended, Senate Concurrent Resolution No. 130 was advanced to second reading and read the second time.

On motion of Senator Shinpoch, the rules were suspended, Senate Concurrent Resolution No. 130 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

On motion of Senator Jones, Senators Benitz, Clarke, Kiskaddon, Lee, Newhouse and Sellar were excused.

The President declared the question before the Senate to be the roll call on final passage of Senate Concurrent Resolution No. 130.

#### ROLL CALL

The Secretary called the roll on final passage of Senate Concurrent Resolution No. 130 and the resolution passed the Senate by the following vote: Yeas, 41; excused, 8.

Voting yea: Senators Barr, Bauer, Bender, Bottiger, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, McCaslin, McDermott, McManus, Metcalf, Moore, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognlid, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 41.

Excused: Senators Benitz, Bluechel, Clarke, Goltz, Kiskaddon, Lee, Newhouse, Sellar - 8.

SENATE CONCURRENT RESOLUTION NO. 130, having received the constitutional majority, was declared passed.

#### INTRODUCTION AND FIRST READING

SCR 131 by Senators McDermott, Wojahn, Lee, Shinpoch, Kiskaddon and Bluechel

Establishing a joint committee to study ways to implement comparable worth.

#### MOTIONS

On motion of Senator Shinpoch, the rules were suspended, Senate Concurrent Resolution No. 131 was advanced to second reading and read the second time.

On motion of Senator McDermott, the rules were suspended, Senate Concurrent Resolution No. 131 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

#### POINT OF INQUIRY

Senator Pullen: "Senator McDermott, has this comparable worth bill passed the House? Has it passed both bodies and is it on the Governor's desk or has it passed both bodies and awaiting the Governor's signature? Has it been signed into law? What is its status?"

Senator McDermott: "Senator Pullen, both the House budget and the Senate budget contained a million and half dollars for implementation of the comparable worth studies, which has been done in the past. The bill is, I think, presently residing in the Senate. I am quite certain it will pass by the time we leave here in thirty days."



Further debate ensued.

#### POINT OF INQUIRY

Senator Rasmussen: "Senator Wojahn, I'm not very familiar with this subject. My understanding is that women truck drivers get the same pay as men truck drivers. Do you understand it that way?"

Senator Wojahn: "I am sure that women truck drivers do get the same pay as men truck drivers, just as male nurses get the same amount of money as female nurses. The practical point is that jobs which have historically been held by women, even though men have graduated into the area and working at the same jobs, they are still lower paid. I am sure that the male telephone operator makes the same as a female telephone operator, too, but there are still the lower paying jobs, because they have not reached a plateau of equity."

The President declared the question before the Senate to be the roll call on final passage of Senate Concurrent Resolution No. 131.

#### ROLL CALL

The Secretary called the roll on final passage of Senate Concurrent Resolution No. 131 and the resolution passed the Senate by the following vote: Yeas, 31; nays, 6; absent, 4; excused, 8.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Fuller, Gaspard, Granlund, Guess, Hansen, Hayner, Hemstad, Hughes, Jones, McDermott, McManus, Moore, Owen, Peterson, Quigg, Rasmussen, Rinehart, Shipoch, Talmadge, Thompson, Vognild, von Reichbauer, Williams, Wojahn, Woody, Zimmerman - 31.

Voting nay: Senators Barr, Craswell, Deccio, McCaslin, Metcalf, Pullen - 6.

Absent: Senators Haley, Hurley, Patterson, Warnke - 4.

Excused: Senators Benitz, Bluechel, Clarke, Goltz, Kiskaddon, Lee, Newhouse, Sellar - 8.

SENATE CONCURRENT RESOLUTION NO. 131, having received the constitutional majority, was declared passed.

There being no objection, the President reverted the Senate to the fourth order of business.

#### MESSAGES FROM THE HOUSE

April 26, 1983

Mr. President:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 271,

SECOND SUBSTITUTE HOUSE BILL NO. 295,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 406,

HOUSE BILL NO. 595,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 605,

SUBSTITUTE HOUSE BILL NO. 689, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

April 27, 1983

Mr. President:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 71,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 127,

SUBSTITUTE HOUSE BILL NO. 410,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 411,

ENGROSSED HOUSE BILL NO. 412,

SUBSTITUTE HOUSE BILL NO. 470,

HOUSE BILL NO. 471,

SUBSTITUTE HOUSE BILL NO. 583, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

April 27, 1983

Mr. President:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 496, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

April 27, 1983

Mr. President:

The House has adopted:

SENATE CONCURRENT RESOLUTION NO. 118, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## SIGNED BY THE PRESIDENT

The President signed:

SENATE CONCURRENT RESOLUTION NO. 118.

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

## INTRODUCTION AND FIRST READING

SCR 132 by Senator Hayner

Adopting joint rules for the 48th legislature.

Referred to Committee on Rules.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

SHB 43 by Committee on Social and Health Services (originally sponsored by Representatives Ellis, Lewis, Kreidler, Hastings, Chandler, Miller, Sayan, Crane, Stratton, Nealey, Appelwick, Locke, Holland, Burns, Isaacson, Rust, Silver, Haugen, Wang, Niemi, Ballard, Sutherland, Walk, Tilly, Dellwo, Struthers, Charnley, Mitchell, Garrett, Belcher, McClure, Galloway, Long, Smith, Dickie, Todd and Clayton)

Modifying provisions concerning medical care services.

Referred to Committee on Rules.

SHB 71 by Committee on Ways and Means (originally sponsored by Representatives D. Nelson, Isaacson, Sutherland, Long, Gallagher and Allen)

Making the geothermal account not subject to appropriation.

Referred to Committee on Ways and Means.

ESHB 127 by Committee on Ways and Means (originally sponsored by Representatives Kreidler, Grimm, Walk, Belcher, Zellinsky and Garrett)

Modifying the manner by which travel reimbursement rates for state employees are set.

Referred to Committee on Ways and Means.

E2SHB 245 by Committee on Ways and Means (originally sponsored by Representatives J. King, Sanders, Tanner, Powers, Vekich and Heck)

Modifying provisions relating to economic development.

Referred to Committee on Ways and Means.

SHB 251 by Committee on Commerce and Economic Development (originally sponsored by Representatives Sayan, Vekich, J. King, Fisch, Allen, McClure, Wang, Tanner, Haugen, Appelwick, Ellis, Fisher, Hine, Lux, Charnley, Gallagher, B. Williams, Powers, Stratton, Ristuben and Garrett)

Establishing the state employment and conservation corps.

Referred to Committee on Ways and Means.

SHB 271 by Committee on Ways and Means (originally sponsored by Representatives Vekich, Fiske, Charnley and Zellinsky) (by State Patrol request)

Modifying provisions relating to survivors' benefits under the state patrol retirement system.

Referred to Committee on Ways and Means.

2SHB 295 by Committee on Ways and Means (originally sponsored by Representatives Belcher, Hankins, Kreidler, Walk, Niemi, Ellis, Powers, Lewis, Allen, Johnson, Lux, Jacobsen, Todd, Halsan, Betrozoff, Vander Stoep, Patrick, D. Nelson and Vekich)

Requiring state employees to be paid twice a month.

Referred to Committee on Ways and Means.

ESHB 406 by Committee on Ways and Means (originally sponsored by Representative Grimm)

Modifying provisions relating to expenditures by state agencies.

Referred to Committee on Ways and Means.

SHB 410 by Committee on Environmental Affairs (originally sponsored by Representatives Monohon, Sommers and Fiske)

Authorizing fees to be charged by the department of ecology.

Referred to Committee on Ways and Means.

EHB 411 by Representatives Monohon, Sommers and Fiske

Modifying water power license fees.

Referred to Committee on Ways and Means.

EHB 412 by Representatives Monohon, Sommers and Fiske

Modifying fees and expenses under the water rights codes.

Referred to Committee on Ways and Means.

SHB 470 by Committee on Ways and Means (originally sponsored by Representative Grimm)

Altering provisions relating to state funds.

Referred to Committee on Ways and Means.

HB 471 by Representative Grimm

Modifying provisions relating to the judiciary education account.

Referred to Committee on Ways and Means.

ESHB 495 by Committee on Ways and Means (originally sponsored by Representatives Grimm, Monohon, Miller, R. King, Brough, Egger, Fiske, Charnley, Holland, Garrett, Van Dyken, Ebersole, Patrick, Jacobsen, Struthers, Zellinsky, Tilly, Dellwo, Vander Stoep, Heck, Ristuben, Powers, Halsan, Todd, Pruitt, Appelwick, Fisch, Fisher, Crane, D. Nelson, Tanner, Wang, Walk, McClure, Hine, Gallagher, Martinis, Kreidler, Burns, Niemi, Locke, Isaacson, Vekich, Kaiser, McMullen, Lux, Braddock, Rust, Brekke, B. Williams, Belcher, Moon, Sutherland, O'Brien, Lewis, Armstrong and Johnson)

Providing post-retirement adjustments for public retirement systems.

Referred to Committee on Ways and Means.

HB 524 by Representative Brekke

Revising eligibility for medical care services.

Referred to Committee on Ways and Means.

SHB 583 by Committee on Agriculture (originally sponsored by Representatives Kaiser and Smith)

Modifying the duties of the department of ecology under the state reclamation act.

Referred to Committee on Ways and Means.

HB 595 by Representatives Ellis, Lewis, Dickie, Clayton, Smith, Chandler, Kaiser and Grimm

Establishing the East Selah reregulating reservoir project.

Referred to Committee on Ways and Means.

ESHB 605 by Committee on Ways and Means (originally sponsored by Representatives O'Brien, Sommers, Betzoff and Miller)

Revising provisions relating to the state convention and trade center.

Referred to Committee on Ways and Means.

SHB 689 by Committee on Commerce and Economic Development (originally sponsored by Representatives Silver, J. King, B. Williams, Tanner, Schmidt, Schoon, Brough, Padden, Johnson, Tilly, Long and Sanders)

Establishing the small business assistance coordinating council.

Referred to Committee on Ways and Means.

HB 725 by Representative Grimm (by Code Reviser request)

Appropriating funds for the publication of the session laws.

Referred to Committee on Ways and Means.

#### MOTION

At 5:33 p.m., on motion of Senator Shinpoch, the Senate adjourned until 10:00 a.m., Thursday, April 28, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

## FOURTH DAY

---

### MORNING SESSION

---

Senate Chamber, Olympia, Thursday, April 28, 1983

The Senate was called to order at 10:00 a.m. by President Pro Tempore Goltz. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senators Benitz, Deccio, McManus, Pullen, Sellar, Warnke and Woody. On motion of Senator Zimmerman, Senators Benitz, Deccio, Pullen and Sellar were excused.

The Sergeant at Arms Color Guard, consisting of Pages Jim Hickman and Jeff Pickett, presented the Colors. Reverend Charles Loyer, retired pastor of Westminster United Presbyterian Church of Olympia, offered the prayer.

#### MOTION

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

#### MESSAGE FROM THE HOUSE

April 28, 1983

Mr. President:

The House has passed:

ENGROSSED HOUSE BILL NO. 752,

ENGROSSED HOUSE BILL NO. 1094, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### INTRODUCTION AND FIRST READING OF HOUSE BILLS

ESHB 496 by Committee on Ways and Means (originally sponsored by Representatives Ristuben, Grimm, Miller, Egger, Struthers, Powers, Fiske, Halsan, Brough, Charnley, Nealey, Long, Vander Stoep, Ebersole, Schmidt, Garrett, Betzoff, R. King, Allen, Dellwo, Ballard, Heck, Jacobsen, Schoon, Martinis, Fuhrman, Taylor, Van Dyken, Walk, Pruitt, Barrett, Zellinsky, Johnson, Kaiser, J. Williams, Todd, Mitchell, Fisch, Patrick, Fisher, Tilly, Crane, Addison, D. Nelson, Tanner, Wang, McClure, Gallagher, Hine, Kreidler, Burns, Stratton, Appelwick, Niemi, Locke, Isaacson, Silver, Vekich, McMullen, Braddock, Rust, Brekke, B. Williams, Belcher, Holland, Moon, Wilson, Sutherland, O'Brien, Lewis and Armstrong)

Modifying provisions on senior citizen tax relief.

Referred to Committee on Ways and Means.

EHB 752 by Representative Moon

Granting authority to cities, towns, counties, and special purpose districts.

Referred to Committee on Energy and Utilities.

EHB 1094 by Representative Moon

Relating to local government.

Referred to Committee on Energy and Utilities.

There being no objection, the President Pro Tempore advanced the Senate to the seventh order of business.

#### THIRD READING

SENATE BILL NO. 3314, by Senators Vognild, Quigg and Wojahn (by Department of Employment Security request)

Establishing the OASI revolving fund.

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

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Senate Bill No. 3314.

#### ROLL CALL

The Secretary called the roll on final passage of Senate Bill No. 3314, and the bill passed the Senate by the following vote: Yeas, 41; nays, 00; absent, 04; excused, 04.

Voting yea: Senators Barr, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Williams, Wojahn, Zimmerman - 41.

Absent: Senators Bauer, McManus, Warnke, Woody - 4.

Excused: Senators Benitz, Deccio, Pullen, Sellar - 4.

SENATE BILL NO. 3314, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Shinpoch, the Senate advanced to the eighth order of business.

#### MOTION FOR RECONSIDERATION

Having served prior notice, Senator Peterson moved that the Senate reconsider the vote by which Substitute House Bill No. 235, as amended by the Senate, failed to pass the Senate on April 27, 1983.

The motion by Senator Peterson carried and the Senate resumed consideration of Substitute House Bill No. 235.

#### MOTIONS

On motion of Senator Peterson, Substitute House Bill No. 235, on reconsideration, held its place on the third reading calendar.

On motion of Senator Shinpoch, the Senate returned to the seventh order of business.

#### THIRD READING

ENGROSSED SENATE BILL NO. 3475, by Senators Owen, Patterson and Rasmussen

Modifying requirements for license to take crab.

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

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3475.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Bill No. 3475, and the bill passed the Senate by the following vote: Yeas, 41; nays, 00; absent, 04; excused, 04.

Voting yea: Senators Barr, Bauer, Bender, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Kiskaddon, Lee, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Zimmerman - 41.

Absent: Senators Bluechel, Jones, McDermott, Woody - 4.

Excused: Senators Benitz, Deccio, Pullen, Sellar - 4.

ENGROSSED SENATE BILL NO. 3475, having received the 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

SUBSTITUTE SENATE BILL NO. 3628, by Committee on Natural Resources (originally sponsored by Senator Owen)

Establishing Hood Canal shrimp fishing licenses.

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

## POINT OF ORDER

Senator Clarke: "Mr. President, I raise the point of order that this bill is not within the cut-off eligibility."

President Pro Tempore Goltz: "Senator Clarke has raised the point of order that Substitute Senate Bill No. 3628 is not within the proclamation, I believe, issued by the Governor for this session."

Senator Clarke: "No, it was the joint resolution."

Debate ensued.

There being no objection, further consideration of Substitute Senate Bill No. 3628 was deferred.

There being no objection, the President Pro Tempore reverted the Senate to the sixth order of business.

## SECOND READING

SENATE BILL NO. 3155, by Senators Gaspard, Talmadge, Bauer, Warnke, Thompson, von Reichbauer, Shinpoch, Bottiger, Patterson, Peterson, Goltz, Vognild, Bender, Guess, McManus, Graniund, Fleming, Kiskaddon, Benitz, Lee and Woody

Requiring a high technology education training program.

## MOTIONS

On motion of Senator Gaspard, Second Substitute Senate Bill No. 3155 was substituted for Senate Bill No. 3155 and the substitute bill was placed on second reading and read the second time.

Senator Patterson moved the following amendment by Senators Patterson and von Reichbauer be adopted:

On page 9, after line 3, insert the following: "NEW SECTION, Sec. 19. There is hereby appropriated to Washington State University from the general fund, for the biennium ending June 30, 1985, the sum of nine hundred thousand dollars, or so much thereof as may be necessary, to provide for new programs, program enhancement, research projects and equipment in the fields of engineering, science, technology and agricultural research."

Renumber the remaining sections accordingly.

Debate ensued.

The President Pro Tempore declared the question before the Senate to be adoption of the amendment by Senators Patterson and von Reichbauer.

The motion by Senator Patterson failed and the amendment was not adopted.

## MOTIONS

Senator Peterson moved that the following amendment by Senators Peterson and Goltz be adopted:

On page 9, after line 3, insert the following:

"NEW SECTION, Sec. 19. There is appropriated to Western Washington University from the general fund for the biennium ending June 30, 1985, the sum of one million eight hundred and ninety five thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act including, further development of on and off campus science and technology programs in cooperation with the Puget Sound Community College Consortium."

Renumber the remaining sections consecutively.

Debate ensued.

## MOTION

On motion of Senator Peterson, and there being no objection, the amendment was withdrawn.

## MOTION

Senator Hansen moved the following amendment be adopted:

On page 8, insert a new section:

NEW SECTION, Sec. 20. There is appropriated to Central Washington University from the general fund, for the biennium ending June 30, 1985, the sum of six hundred and fifty thousand dollars or so much thereof as may be necessary to carry out the provisions of this act."

Renumber all sections thereafter.

Debate ensued.

#### POINT OF INQUIRY

Senator Guess: "Senator Gaspard, in section 14--'the board of regents of Washington State University is authorized to establish a statewide off campus telecommunications system to provide for graduate and continuing education in high technology.' Is there something in the general budget that will support that program?"

Senator Gaspard: "Senator Guess, certainly we have an appropriation in to WSU in the budget, and they can use some of that money to do that. We are also providing more money in this particular bill to the tune of about almost 2.5 million dollars to coordinate this particular program."

Senator Guess: "To coordinate the telecommunications net?"

Senator Gaspard: "Telecommunications and the southwest Washington regional center."

Senator Guess: "Is that in the general budget or is it in this bill?"

Senator Gaspard: "Yes, sir, it is. There was an amendment placed in the Ways and Means Committee that has incorporated the appropriations in this bill."

The President Pro Tempore declared the question before the Senate to be adoption of the amendment by Senator Hansen.

The motion by Senator Hansen failed and the amendment was not adopted.

#### MOTION

Senator Hurley moved adoption of the following amendment by Senators Hurley, Hughes and McCaslin:

On page 9, after line 8, insert:

NEW SECTION, Sec. 20. There is appropriated from the general fund for the biennium ending June 30, 1985, the sum of eight hundred thousand dollars to the State Board for Community College Education for allocation to the seventeenth community college district to carry out the provisions of this act."

Debate ensued.

The President Pro Tempore declared the question before the Senate to be adoption of the amendment by Senators Hurley, Hughes and McCaslin.

The motion by Senator Hurley failed and the amendment was not adopted.

#### MOTION

On motion of Senator McDermott, the rules were suspended, Second Substitute Senate Bill No. 3155 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Second Substitute Senate Bill No. 3155.

#### ROLL CALL

The Secretary called the roll on final passage of Second Substitute Senate Bill No. 3155, and the bill passed the Senate by the following vote: Yeas, 44; nays, 02; absent, 00; excused, 03.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vogniild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 44.

Voting nay: Senators Craswell, Haley - 2.

Excused: Senators Benitz, Deccio, Sellar - 3.

SECOND SUBSTITUTE SENATE BILL NO. 3155, having received the 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 President Pro Tempore advanced the Senate to the seventh order of business.

There being no objection, the Senate resumed consideration of Substitute Senate Bill No. 3628, deferred earlier today.

#### RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Goltz: "In ruling on the point of order raised by Senator Clarke as to whether Substitute Senate Bill No. 3628 is a measure which can be considered by the Senate pursuant to House Concurrent Resolution No. 23, the President finds that Substitute Senate Bill No. 3628 is a revenue measure which creates fees necessary to implement the Department of Fisheries and the state general fund budget.

"The President, therefore, finds that Substitute Senate Bill No. 3628 is properly before the Senate at this time."

Debate ensued.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 3628.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 3628, and the bill passed the Senate by the following vote: Yeas, 45; nays, 01; absent, 00; excused, 03.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 45.

Voting nay: Senator Rasmussen - 1.

Excused: Senators Benitz, Deccio, Sellar - 3.

SUBSTITUTE SENATE BILL NO. 3628, having received the 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

SUBSTITUTE SENATE BILL NO. 3067, by Committee on Transportation (originally sponsored by Senators Hansen, Peterson and Guess)

Modifying provisions and the taxation of motor vehicle and special fuels.

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

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 3067.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 3067, and the bill passed the Senate by the following vote: Yeas, 46; nays, 00; absent, 00; excused, 03.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 46.

Excused: Senators Benitz, Deccio, Sellar - 3.

SUBSTITUTE SENATE BILL NO. 3067, having received the 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

SECOND SUBSTITUTE SENATE BILL NO. 3085, by Committee on Commerce and Labor (originally sponsored by Senators McDermott, Vognild, Moore, Wojahn, Shinpoch, Talmadge, Hughes and McManus)

Modifying provisions on unemployment compensation.

## MOTIONS

On motion of Senator Vognild, the rules were suspended and Second Substitute Senate Bill No. 3085 was returned to second reading and read the second time.

On motion of Senator Vognild, the following amendments by Senators Vognild and Newhouse were considered and adopted simultaneously:

On page 7, after line 17, insert the following:

**\*NEW SECTION, Sec. 11.** (1) The department of employment security shall develop a data base for the following elements of an experience rating system:

(a) A ratio of benefits charged to the accounts of employers during the forty-eight consecutive months immediately preceding the computation date to the taxable payrolls of the employers for the same forty-eight month period. The computations for determining qualified employers shall be limited to the forty-eight month period described above; and

(b) Noncharging of: (i) Benefits paid after December 31, 1983, representing the state's share of benefits payable under chapter 50.22 RCW, to the employer's experience rating accounts; and (ii) benefits paid after December 31, 1983, to a worker who requalifies for benefits under RCW 50.20.050 or 50.20.060 to the experience rating account of the employer with whom the disqualifying separation took place.

(2) The department shall also provide information as requested by the senate committee on commerce and labor and the house committee on labor regarding: (a) Alternative seasonality provisions which would recognize the potential burden on employers who must, through no fault of their own, vary their work force, while insuring that employees who are unemployed, through no fault of their own, are protected; (b) alternative unemployment compensation financing systems; and (c) the adequacy of benefit levels.

The department shall make an initial report to the legislature by July 1, 1983."

Renumber the remaining sections consecutively.

On page 7, after line 17, insert the following:

**\*NEW SECTION, Sec. 12.** The following acts or parts of acts are each repealed:

(1) Section 13, chapter 2, Laws of 1970 ex. sess., section 12, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.29.040;

(2) Section 14, chapter 2, Laws of 1970 ex. sess. and RCW 50.29.050;

(3) Section 18, chapter 2, Laws of 1970 ex. sess., and RCW 50.29.140."

Renumber the remaining sections consecutively.

## MOTIONS

On motion of Senator Vognild, the following title amendment was adopted:

On page 1, line 13 of the title, after "sections;" insert the following:

"repealing section 13, chapter 2, Laws of 1970 ex. sess., section 12, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.29.040; repealing section 14, chapter 2, Laws of 1970 ex. sess. and RCW 50.19.050; and repealing section 18, chapter 2, Laws of 1970 ex. sess. and RCW 50.29.140;"

On motion of Senator Vognild, the rules were suspended, Engrossed Second Substitute Senate Bill No. 3085 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed Second Substitute Senate Bill No. 3085.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Second Substitute Senate Bill No. 3085, and the bill passed the Senate by the following vote: Yeas, 45; nays, 01; absent, 00; excused, 03.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Melcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 45.

Voting nay: Senator Craswell - 1.

Excused: Senators Benitz, Deccio, Sellar - 3.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3085, having received the 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 SENATE BILL NO. 3163, by Committee on Ways and Means (originally sponsored by Senators Fleming, Jones, Pullen McDermott and Talmadge)

Granting reparation to certain state employees who suffered salary losses during World War II.

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

## POINT OF ORDER

Senator Rasmussen: "Mr. President, my question is this bill properly before us under our cut-off resolution--the continuing resolution?"

President Pro Tempore Goltz: "Are you making a point of order."

Senator Rasmussen: "A point of order, yes."

There being no objection, further consideration of Engrossed Substitute Senate Bill No. 3163 was deferred.

## THIRD READING

SUBSTITUTE SENATE BILL NO. 3248, by Committee on Local Government (originally sponsored by Senators Lee, Wojahn, Kiskaddon, McDermott, Warnke, Patterson, Woody, Bottiger, Fleming, Rinehart, Fuller, Hemstad, Haley, Vognild, Hayner, Zimmerman, Jones, von Reichbauer, Bluechel, Granlund, Talmadge, Hurley, Shinpoch, Deccio, Craswell and Bauer)

Requiring the salaries of persons in public employment to be adjusted to achieve comparable worth.

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

## POINT OF ORDER

Senator Guess: "Mr. President, I challenge the consideration of 3248. It exceeds the scope of the resolution which brought us back into special session."

Debate ensued.

There being no objection, further consideration of Substitute Senate Bill No. 3248 was deferred.

## THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3273, by Committee on Energy and Utilities (originally sponsored by Senators Williams, Hurley, Bauer and Talmadge)

Establishing the Washington radioactive waste commission.

## MOTIONS

On motion of Senator Williams, the rules were suspended and Engrossed Substitute Senate Bill No. 3273 was returned to second reading and read the second time.

Senator Williams moved that the following amendment be adopted:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. The legislature finds that the safe transporting, handling, storage, or otherwise caring for radioactive wastes is required to protect the health, safety, and welfare of the citizens of the state of Washington. It is the purpose of this chapter to establish authority for the state to exercise appropriate oversight and care for the safe management and disposal of radioactive wastes; to consult with the federal government and other states on interim or permanent storage of these radioactive wastes; and to carry out the state responsibilities under the federal nuclear waste policy act of 1982.

**NEW SECTION.** Sec. 2. The department of ecology is herein designated as the state agency to carry out the authority and responsibility set forth in this chapter, including state participation in the federal nuclear waste policy act of 1982 and the federal low-level radioactive waste policy act of 1980. The department may receive federal financial assistance for carrying out radioactive waste management activities, including assistance for monitoring and evaluating the program of repository exploration and siting undertaken by the federal government.

The department shall submit a written report at least semiannually to the governor and to each member of the legislature on the radioactive waste program, its progress in carrying out its responsibilities, and any recommendations for legislative or administrative action that will improve the state's management and control activity in maximizing public health and safety.

NEW SECTION, Sec. 3. All departments, agencies, and officers of this state and its subdivisions shall cooperate with the department in the furtherance of any of its activities pursuant to this chapter.

NEW SECTION, Sec. 4. There is hereby created a nuclear waste policy and review board to assist the department in carrying out its responsibilities under this chapter. The board shall consist of the following members: The chairman of the advisory council who shall also serve as chairman of the review board, the director of the department or the director's designee, the director of the energy office or the director's designee, the commissioner of public lands or the commissioner's designee, the secretary of social and health services or the secretary's designee, the chairman of the energy facility site evaluation council or the chairman's designee, four members of the state senate, appointed by the president of the senate, and four members of the house of representatives, appointed by the speaker, who shall be selected from each of the caucuses in each house, but no more than two members of each house shall be of the same political party. Legislative members shall be ex officio nonvoting members of the board and shall serve while members of the legislature, at the pleasure of the appointing officer. 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 department in carrying out its duties under this chapter; assisting the department in determining ways in which coordination among state agencies can be improved; carrying out such review activities that will enable the governor to effectively evaluate federal actions; reviewing the activities of advisory and technical committees created by the governor; advising the director on the need for additional advisory and technical committees; and assisting the department to participate in the consultation and concurrence process provided for in the federal waste management act of 1982 and 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.

Nonlegislative members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060. Legislative members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 44.04.120.

The legislature shall seek reimbursement from available sources, including the federal government, for legislative expenditures incurred pursuant to the provisions of this act.

NEW SECTION, Sec. 5. (1) An advisory council is hereby established of not less than fifteen members appointed by the governor to provide advice, counsel, and recommendations to the department on all aspects of the radioactive waste management program. The council shall particularly advise the department on maximizing opportunities for public involvement in the program, soliciting public input, and assisting in the need for wide understanding of the issues involved in nuclear waste management. The governor shall appoint the chairman of the advisory council who shall also serve as chairman of the waste policy and review board. Members of the council shall be selected from all areas of the state and shall include a broad range of citizens, representatives of local governments, and representatives of such other interests as the governor determines will best further the purposes of this chapter. A representative of an affected Indian tribe shall be an ex officio nonvoting member of the council. Terms of council members shall not exceed two years and they shall continue to serve until their successors are appointed. Vacancies shall be filled in the same manner as original appointments. Members may be reappointed. Members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION, Sec. 6. The department may establish such additional advisory and technical committees as it deems necessary.

NEW SECTION, Sec. 7. The department of ecology is authorized to adopt such rules as are necessary to carry out its responsibility under this chapter. The department of social and health services is authorized to adopt such rules as are necessary to carry out its responsibilities under chapter 43.145 RCW.

NEW SECTION, Sec. 8. The director of ecology shall, in addition to the powers and duties otherwise imposed by law, have the following special powers and duties:

(1) To fulfill the responsibilities of the state under the lease between the state of Washington and the federal government executed September 10, 1964, covering one thousand acres of land lying within the Hanford reservation near Richland, Washington. The department of ecology may sublease to private or public entities all or a portion of the land for specific purposes or activities which are determined, after public hearing, to be in consonance with the terms of the lease and in the best interests of the citizens of the state consistent with any criteria that may be developed as a requirement by the legislature;

(2) To assume the responsibilities of the state under the perpetual care agreement between the state of Washington and the federal government executed July 29, 1965. In order to finance

perpetual surveillance and maintenance under the agreement, the department of ecology shall impose and collect fees from parties holding radioactive materials for waste management purposes. The fees shall be established by rule adopted under chapter 34.04 RCW and shall be an amount determined by the state radiation control agency to be necessary to defray the estimated liability of the state. Such fees shall reflect equity between the disposal facilities of this and other states. All such fees, when received by the department of ecology, shall be transmitted to the state treasurer, who shall act as custodian. The treasurer shall place the money in a special account which may be designated the "perpetual maintenance account." Appropriations are required to permit expenditures and payment of obligations from this account, and the condition of the account and its administration shall be reported biennially to the legislature by the director. Moneys in the perpetual maintenance account shall be invested by the state investment board in the same manner as other state moneys. Any interest accruing as a result of investment shall accrue to the perpetual maintenance account. Additional moneys specifically appropriated by the legislature or received from any public or private source may be placed in the perpetual maintenance account. The perpetual maintenance account shall be used exclusively for surveillance and maintenance costs, or for otherwise satisfying surveillance and maintenance obligations; and

(3) To assure maintenance of such insurance coverage by state licensees, lessees, or sublessees as will adequately, in the opinion of the director, protect the citizens of the state against nuclear accidents or incidents that may occur on privately or state-controlled nuclear facilities.

Sec. 9. Section 3, chapter 207, Laws of 1961 as last amended by section 125, chapter 141, Laws of 1979 and RCW 70.98.030 are each amended to read as follows:

(1) "Byproduct material" means any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material.

(2) "Ionizing radiation" means gamma rays and x-rays, alpha and beta particles, high-speed electrons, neutrons, protons, and other (~~(nuclear)~~) subatomic particles; but not sound or radio waves, or visible, infrared, or ultraviolet light.

(3) (a) "General license" means a license effective pursuant to regulations promulgated by the state radiation control agency, without the filing of an application, to transfer, acquire, own, possess, or use quantities of, or devices or equipment utilizing, byproduct, source, special nuclear materials, or other radioactive material occurring naturally or produced artificially.

(b) "Specific license" means a license, issued after application to use, manufacture, produce, transfer, receive, acquire, own, or possess quantities of, or devices or equipment utilizing byproduct, source, special nuclear materials, or other radioactive materials occurring naturally or produced artificially.

(4) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state, any other state or political subdivision or agency thereof, and any legal successor, representative, agent, or agency of the foregoing, other than the United States Atomic Energy Commission, or any successor thereto, and other than federal government agencies licensed by the United States Atomic Energy Commission, or any successor thereto.

(5) (~~"Source material" means (a) uranium, thorium, or any other material which the governor declares by order to be source material after the United States Atomic Energy Commission, or any successor thereto, has determined the material to be such; or (b) ores containing one or more of the foregoing materials, in such concentration as the governor declares by order to be source material after the United States Atomic Energy Commission, or any successor thereto, has determined the material in such concentration to be source material)~~) "Source material" means (a) uranium, thorium, or any other material which is determined by the United States Nuclear Regulatory Commission or its successor pursuant to the provisions of section 61 of the United States Atomic Energy Act of 1954, as amended (42 U.S.C. Sec. 209) to be source material; or (b) ores containing one or more of the foregoing materials, in such concentration as the commission may by regulation determine from time to time.

(6) (~~"Special nuclear material" means (a) plutonium, uranium-233, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the governor declares by order to be special nuclear material after the United States Atomic Energy Commission, or any successor thereto, has determined the material to be such, but does not include source material; or (b) any material artificially enriched by any of the foregoing, but does not include source material)~~) "Special nuclear material" means (a) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the United States Nuclear Regulatory Commission or its successor, pursuant to the provisions of section 51 of the United States Atomic Energy Act of 1954, as amended (42 U.S.C. Sec. 2071), determines to be special nuclear material, but does not include source material; or (b) any material artificially enriched by any of the foregoing, but does not include source material.

(7) "Registration" means registration with the state department of social and health services by any person possessing a source of ionizing radiation in accordance with rules, regulations and standards adopted by the department of social and health services.

(8) "Radiation source" means any type of device or substance which is capable of producing or emitting ionizing radiation.

NEW SECTION. Sec. 10. The rules of strict construction do not apply to this act and it shall be liberally construed in order to carry out the objective for which it is designed, in accordance with the legislative intent to give the department of ecology the maximum possible freedom in carrying the provisions of this act into effect.

NEW SECTION. Sec. 11. If any part of this act shall be found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, such conflicting part of this act is hereby declared to be inoperative solely to the extent of such conflict and with respect to the agencies directly affected, and such finding or determination shall not affect the operation of the remainder of this act in its application to the agencies concerned. The rules and regulations under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 12. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 13. Section 12, chapter 295, Laws of 1981 and RCW 43.21F.075 are each repealed.

NEW SECTION. Sec. 14. The governor shall study whether the following powers, duties, and functions should be transferred to the department of ecology:

(1) All powers, duties, and functions authorized to be performed by the department of social and health services and its secretary by chapter 70.121 RCW;

(2) All powers, duties, and functions authorized to be performed by the department of social and health services and its secretary by chapter 70.98 RCW, including those relating to agreements now existing, or hereinafter entered into, with the United States operating under authority of the Atomic Energy Act of 1954, as amended. The functions included in this subsection include, but are not limited to, the licensing and regulation of radiation producing devices and radioactive materials now administered by the licensing program, materials compliance program, x-ray compliance program, and x-ray projects program of such department;

(3) Those of the board of health relating to programs transferred in subsections (1) and (2) of this section; and

(4) The designation as the state radiation control agency under RCW 70.98.050.

The study shall be conducted adhering to the provisions of the open public meetings act, chapter 42.30 RCW. The results shall be reported to the legislature by January 15, 1984.

NEW SECTION. Sec. 15. Sections 1 through 8 and 14 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 16. 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."

#### POINT OF ORDER

Senator Newhouse: "Mr. President, I'd like to raise a point of order on two points. First, that the bill does not conform with our concurrent resolution setting limitations on this special session. Second, that the amendment that is proposed by Senator Williams, by transferring one part of state government from one department to another expands the scope and object of the bill."

There being no objection, further consideration of Engrossed Substitute Senate Bill No. 3273 was deferred.

#### THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3290, by Committee on Natural Resources (originally sponsored by Senators Moore, Barr, Goltz and Williams)

Modifying provisions relating to the lease of aquatic lands.

#### MOTIONS

On motion of Senator Owen, the rules were suspended and Engrossed Substitute Senate Bill No. 3290 was returned to second reading and read the second time.

Senator Owen moved adoption of the following amendment by Senators Owen, Moore, Craswell and Rinehart:

On page 1, after line 6, strike everything after the enacting clause and insert:

"NEW SECTION. Sec. 1. From April 3, 1982, until September 30, 1984, the annual rent for an existing lease, renewed lease, or release of public tidelands, shorelands, beds of navigable waters, and harbor areas shall be the rent paid on such lease on January 1, 1981, which may be increased up to six percent per year, not compounded, from April 3, 1982, until September 30, 1984. From April 3, 1982, until September 30, 1984, the annual rent for a new lease entered

into after January 1, 1981, shall be the rent paid January 1, 1981, for comparable public tidelands, shorelands, beds of navigable waters, and harbor areas leased for similar purposes. From April 3, 1982, until September 30, 1984, such rent on new leases may be increased up to six percent per year, not compounded, from the January 1, 1981 rent paid. The annual rent paid on January 1, 1981, means the actual rent paid on that date including any stair-stepped or other incremental rent payments of the full rental value. Any lessee of public tidelands, shorelands, beds of navigable waters, and harbor areas paying more than the rent permitted under this section shall receive a credit, in the appropriate amount, on future rent owing for such lease or any other leases entered into by the lessee on public tidelands, shorelands, beds of navigable waters, and harbor areas: PROVIDED, That if any such leases terminate prior to the lessee being granted full credit for the overpaid rent, the lessee shall be reimbursed for the remaining overpayment in money. This section does not apply to geoduck harvesting, clam harvesting, or oyster bed leases which are established by a competitive bid process.

The department of natural resources shall adopt and implement rules to implement this section, including methods and procedures for establishing rent, within ninety days of the effective date of this act. This section shall have both retrospective and prospective effect. This section shall expire and have no further legal effect after September 30, 1984.

NEW SECTION, Sec. 2. No rent or fee may be charged if tidelands, shorelands, beds of navigable waters, and harbor areas are used or leased for a dock and are used only for personal recreational use by the upland owner.

NEW SECTION, Sec. 3. Section 2, chapter 97, Laws of 1979 ex. sess., section 2, chapter 117, Laws of 1982, section 176, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.01.525 are each repealed.

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."

#### POINT OF INQUIRY

Senator Clarke: Senator Owen, NEW SECTION 2, which reads 'no rent or fee may be charged if tidelands, shorelands, beds of navigable waters, and harbor areas are used or leased for a dock and are used only for personal recreational use by the upland owner.' I would assume it was the intent that 'use by the upland owner' would include normal accessibility by guests or whoever he would want to permit to use his dock, but in view of the very strict use of the word 'only,' I wanted a clarification as to that."

Senator Owen: "It is my opinion and my intent, both, having been a part of that language being put in there, that it applies not only to the owner but to the owner and his guests--or people who may visit and want to use the dock along with the owner."

#### POINT OF INQUIRY

Senator Hemstad: "Senator Owen, does the Department of Natural Resources have a position on this amendment?"

Senator Owen: "The total amendment or the section which we were just talking about?"

Senator Hemstad: "The total amendment."

Senator Owen: "My understanding is that the Department of Natural Resources has agreed to the year extension on the amendment."

The President Pro Tempore declared the question before the Senate to be adoption of the amendment by Senators Owen, Moore, Craswell and Rinehart.

The motion by Senator Owen carried and the amendment was adopted.

#### MOTIONS

On motion of Senator Owen, the following title amendment was adopted:

On page 1, line 1, after "land;" strike everything through "section;" on line 3 and insert "creating new sections:"

On motion of Senator Owen, the rules were suspended, Reengrossed Substitute Senate Bill No. 3290 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Reengrossed Substitute Senate Bill No. 3290.

## ROLL CALL

The Secretary called the roll on final passage of Reengrossed Substitute Senate Bill No. 3290, and the bill passed the Senate by the following vote: Yeas, 41; nays, 03; absent, 02; excused, 03.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hayner, Hemstad, Jones, Lee, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 41.

Voting nay: Senators Hughes, Hurley, McDermott - 3.

Absent: Senators Hansen, Kiskaddon - 2.

Excused: Senators Benitz, Deccio, Sellar - 3.

REENGROSSED SUBSTITUTE SENATE BILL NO. 3290, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate resumed consideration of Engrossed Substitute Senate Bill No. 3163, deferred earlier today.

## RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Goltz: "In ruling on the point of inquiry raised by Senator Rasmussen as to whether Engrossed Substitute Senate Bill No. 3163 is a measure which can be considered by the Senate pursuant to House Concurrent Resolution No. 23, the President finds that Engrossed Substitute Bill No. 3163 is a measure which appropriates \$160,000 from the general fund to the Department of Personnel and is therefore a subject properly before the Senate under subsection (2) of that resolution."

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3163.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 3163, and the bill passed the Senate by the following vote: Yeas, 34; nays, 10; absent, 02; excused, 03.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Conner, Fleming, Fuller, Gaspard, Granlund, Haley, Hemstad, Hughes, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Moore, Newhouse, Peterson, Pullen, Quigg, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 34.

Voting nay: Senators Barr, Clarke, Craswell, Goltz, Guess, Hurley, Metcalf, Owen, Patterson, Rasmussen - 10.

Absent: Senators Hansen, Hayner - 2.

Excused: Senators Benitz, Deccio, Sellar - 3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3163, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate resumed consideration of Substitute Senate Bill No. 3248, deferred earlier today.

## RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Goltz: "In ruling on the point of inquiry raised by Senator Guess as to whether Substitute Senate Bill No. 3248 is a measure which can be considered by the Senate pursuant to House Concurrent Resolution No. 23, the President finds that Substitute Senate Bill No. 3248 is a measure which requires four personnel actions to be accomplished in order to adjust salaries to provide for comparable worth. The bill implements a \$1.5 million appropriation made in ESHB 49 (the omnibus budget) as passed by the Senate and is therefore properly before the body pursuant to subsection (2) of House Concurrent Resolution 23."

Debate ensued.

## POINT OF INQUIRY

Senator Rasmussen: "Senator Lee, I recently drove by a highway construction project and there was a female flagman out there--I guess a flagperson--well, the flag was there, anyway. Is it your contention that this person that was out there was



getting a different rate than the twenty-four or thirty-four dollars an hour--whatever the rate is for a flagman--flagperson, excuse me?"

Senator Lee: "I have absolutely no idea what that particular person was being paid because I don't know who their employer was. Now, if it was a private employer, under contract to state or local government, then they would be paid what is called 'prevailing wage' and whatever that prevailing wage was that individual was being paid. If that person were actually a state employee, then they would be paid a different rate according to the salary survey and it is classified by jobs rather than the persons who hold those jobs and what this comparable worth does is to look at those jobs and the worth of those jobs, not necessarily the person who holds those jobs."

Senator Rasmussen: "Senator Lee, one more question. I'm getting more confused all the time. I heard that a librarian was not getting as much as a parking lot attendant and I thought it had to do with parking lot attendants per se, both male and female, getting the same rate, rather than whether the librarian got the same rate as the flag person out there, or the parking lot attendant. If the company that you're speaking of were paying their women and the men the same rate, regardless of whether it was a different rate from what the state was paying, then that would be comparable worth, as long as they were within that company. Is that the way you view it?"

Senator Lee: "What the comparable worth survey does is to look at the jobs and compare them on the basis of what the individuals who hold those jobs need to do in the way of knowledge and experience. For example, the comparable worth show that those jobs that require more experience, skill and so on should have the higher pay and indeed does have the higher pay as far as the state salary schedule is concerned. While a laundry worker does not need nearly the amount of training that the position does and therefore is on the lower end of the scale. The only places where there are changes is where there are jobs and, for example, a laundry worker and a custodian, who have about the same kinds of working conditions and so on, but there is a great disparity in pay between those two jobs, and trying to make some equalization between them."

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 3248.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 3248, and the bill passed the Senate by the following vote: Yeas, 36; nays, 07; absent, 02; excused, 04.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Moore, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 36.

Voting nay: Senators Barr, Craswell, Guess, Haley, McCaslin, Metcalf, Pullen - 7.

Absent: Senators Hansen, Owen - 2.

Excused: Senators Benitz, Deccio, Hayner, Sellar - 4.

SUBSTITUTE SENATE BILL NO. 3248, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 11:56 a.m., on motion of Senator Shinpoch, the Senate adjourned until 1:30 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 3311, by Committee on Commerce and Labor (originally sponsored by Senators Vognild, Quigg and Wojahn) (by Department of Employment Security request)

Modifying provisions relating to unemployment insurance.

## MOTION

Senator Vognild moved that the rules be suspended and that Substitute Senate Bill No. 3311 be returned to second reading.

## PARLIAMENTARY INQUIRY

Senator Pullen: "I would hope, Mr. President, that pursuant to the rules we would get a brief explanation as to why the rules were being suspended."

## REMARKS BY SENATOR VOGNILD

Senator Vognild: "Thank you, Mr. President. This is one of the bills that was in dispute between the Senate and the House at the close of the last session. The House had found a double amendment and a couple of technical amendments in here and they also recommended that we have a federal severance clause in the bill and that's the purpose of returning it."

The President declared the question before the Senate to be the motion by Senator Vognild to suspend the rules and return Substitute Senate Bill No. 3311 to second reading.

The motion by Senator Vognild carried and Substitute Senate Bill No. 3311 was returned to second reading and read the second time.

## MOTIONS

On motion of Senator Vognild, the following amendments were considered and adopted simultaneously:

On page 4, beginning on line 20, strike all material through "commissioner." on page 5, line 17 and insert the following:

"Sec. 6. Section 33, chapter 35, Laws of 1945 as last amended by section 1, chapter . . . . (HB 787), Laws of 1983 and RCW 50.04.320 are each amended to read as follows:

For the purpose of payment of contributions, "wages" means the remuneration paid by one employer during any calendar year to an individual in its employment under this title or the unemployment compensation law of any other state in the amount specified in RCW 50.24-.010. If an employer (hereinafter referred to as a successor employer) during any calendar year acquires substantially all the operating assets of another employer (hereinafter referred to as a predecessor employer) or assets used in a separate unit of a trade or business of a predecessor employer, and immediately after the acquisition employs in his trade or business an individual who immediately before the acquisition was employed in the trade or business of the predecessor employer, then, for the purposes of determining the amount of remuneration paid by the successor employer to the individual during the calendar year which is subject to contributions, any remuneration paid to the individual by the predecessor employer during that calendar year and before the acquisition shall be considered as having been paid by the successor employer.

For the purpose of payment of benefits, "wages" means the remuneration (payable) paid by one or more employers to an individual for employment under this title during his base year: PROVIDED, That at the request of a claimant, wages may be calculated on the basis of remuneration payable. The department shall notify each claimant that wages are calculated on the basis of remuneration paid, but at the claimant's request a redetermination may be performed and based on remuneration payable.

"Remuneration" means all compensation paid for personal services including commissions and bonuses and the cash value of all compensation paid in any medium other than cash. The reasonable cash value of compensation paid in any medium other than cash and the reasonable value of gratuities shall be estimated and determined in accordance with rules prescribed by the commissioner. Remuneration does not include payments to members of a reserve component of the armed forces of the United States, including the organized militia of the state of Washington, for the performance of duty for periods not exceeding seventy-two hours at a time."

Senator Vognild moved adoption of the following amendment:

On page 28, after line 2, insert the following:

"NEW SECTION, Sec. 26. If any part of this act is found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state or the eligibility of employers in this state for federal unemployment tax credits, the conflicting part of this act is hereby declared to be inoperative solely to the extent of the conflict, and such finding or determination shall not affect the operation of the remainder of this act. The rules under this act shall meet federal requirement which are a necessary condition to the receipt of federal funds by the state or the granting of federal unemployment tax credits to employers in this state."

Renumber the sections consecutively and correct any internal references accordingly.

## POINT OF INQUIRY

Senator Pullen: "Senator Vognild, I know that in the code reviser's office the code reviser often is very cautious about indicating in any bill that we pass--that we will be adopting federal regulations or laws--and into the future. The code reviser often is happy to put that provision in based on what the federal guidelines are at this time, but if the code reviser places it into law, then we will also be governed by federal regulations in the future. Sometimes there is a concern that we're delegating away our legislative authority. Has that been looked into with regard to this particular situation?"

Senator Vognild: "Yes, Senator. This clause does not adopt any federal guideline or law. It simply says if we have one in place, they could split with it. That's all."

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

The motion by Senator Vognild carried and the amendment was adopted.

## MOTION

On motion of Senator Vognild, the following title amendments were considered and adopted simultaneously:

On page 2, line 11 of the title, after "50.44.060;" insert "creating a new section;"

On page 1, beginning on line 8 of the title, after "50.04.210;" strike all material through "50.04.320;" on line 10 and insert "amending section 33, chapter 35, Laws of 1945 as last amended by section 1, chapter . . . . (HB 787), Laws of 1983 and RCW 50.04.320;"

## MOTION

On motion of Senator Vognild, the rules were suspended, Engrossed Substitute Senate Bill No. 3311 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3311.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 3311, and the bill passed the Senate by the following vote: Yeas, 46; nays, 00; absent, 00; excused, 03.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 46.

Excused: Senators Benitz, Deccio, Sellar - 3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3311, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Senator Rinehart, the Senate resumed consideration of Engrossed Substitute Joint Resolution No. 120, deferred April 27, 1983.

## THIRD READING

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 120, by Committee on Ways and Means (originally sponsored by Senator Moore)

Authorizing a limited income tax.

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

Debate ensued.

## POINT OF INQUIRY

Senator Haley: "Senator Quigg, what provisions does SSJR 120 make allowing working people to save?"

Senator Quigg: "Senator Haley, SSJR 120 has a flaw in it that really makes no provision encouraging saving by Washington taxpayers, should this measure become law. We all know that the rhetoric throughout the last few sessions has

been strong to the needs for jobs here in the state of Washington. Well, it's interesting to note that Walter Mondale's chief economic adviser suggests that the amendment I proposed yesterday would be the kind of an amendment that would provide jobs . . . environment here in this state.

"Robert Reich, author of *THE NEXT AMERICAN FRONTIER*, and Mondale's chief economic adviser, suggests that the most equitable, the most fair and the most economically stimulant tax program would be the tax on consumption. The tax would not apply to savings and investments and, therefore, it would reward by setting aside of that income, if one could, and that income that was set aside would, therefore, come back into the economy in the form of capital, in the areas of investment and credit. We all know that the state of Washington is a very credit dependent state. While the aim of the authors of SSJR 120 is generally laudable, I think, Senator Haley, the one area that it does fall down in is that it simply makes no provision to encourage a component that this state desperately needs and that is the savings and investments by Washington state residents."

Further debate ensued.

#### POINT OF INQUIRY

Senator Rasmussen: "Senator Rinehart--the election described in subsections 1,3,5 and 6 of this section shall be on a measure referred to the people by the Legislature.' My question is, with regard to the raising the tax on the various--the people who vote on it, does that take a two-thirds vote in the House and Senate in order to put the proposal before the people?"

Senator Rinehart: "No."

Senator Rasmussen: "It doesn't take a two-thirds vote--just a simple majority of this body, even though we are amending the Constitution?"

Senator Rinehart: "Right. Would you like to have me read this?"

Senator Rasmussen: "Well, later, I don't want to take my whole three minutes, Senator Rinehart. One more question, please. I see no message in here of excise tax. There is no limit then--I am thinking that we recently raised the excise tax on automobiles to two and a quarter percent and we also have a real estate excise tax which at present is only one percent and could be raised up to five percent--the same way with the excise tax on automobiles. There's no restriction in this proposal?"

Senator Rinehart: "The restrictions in this proposal are on the major sources of state revenues--those revenue which account for well over half of the state's revenues."

Further debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Joint Resolution No. 120.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Joint Resolution No. 120, and the resolution failed to pass the Senate by the following vote: Yeas, 26; nays, 20; absent, 00; excused, 03.

Voting yea: Senators Bauer, Bender, Bottiger, Fleming, Gaspard, Goltz, Granlund, Haley, Hansen, Hemstad, Kiskaddon, Lee, McDermott, McManus, Moore, Patterson, Peterson, Rinehart, Shipoch, Thompson, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 26.

Voting nay: Senators Barr, Bluechel, Clarke, Conner, Craswell, Fuller, Guess, Hayner, Hughes, Hurley, Jones, McCaslin, Metcalf, Newhouse, Owen, Pullen, Quigg, Rasmussen, Talmadge, von Reichbauer - 20.

Excused: Senators Benitz, Deccio, Sellar - 3.

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 120, having failed to receive the constitutional two-thirds majority, was declared lost.

#### NOTICE FOR RECONSIDERATION

Having voted on the prevailing side, Senator Talmadge moved that he would move to reconsider the vote by which Engrossed Substitute Senate Joint Resolution No. 120 failed to pass the Senate.

## THIRD READING

ENGROSSED SENATE BILL NO. 3605, by Senators Goltz, Peterson, Vognild, Fuller, Metcalf and Conner

Modifying provisions relating to state timber sale contracts.

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

## POINT OF ORDER

Senator Rasmussen: "I raise the question of the cut-off resolution on a continual resolution of bills, whether this comes under that portion of our resolution?"  
Debate ensued.

## MOTION

On motion of Senator Shinpoch, further consideration of Engrossed Senate Bill No. 3605 was deferred.

President Pro Tempore Goltz assumed the chair.

## THIRD READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3624, by Committee on Ways and Means (originally sponsored by Senators Hughes, Zimmerman, Hurley, Bender, Wojahn, Hansen, Bottiger, McManus, Granlund, Owen, Vognild, Moore, Thompson, Gaspard, Peterson, Fleming, Woody, Bauer, Conner, Rasmussen, Warnke, Rinehart, Shinpoch, Talmadge, Williams, Goltz, McDermott, Hemstad, Lee, Fuller, Bluechel and Quigg)

Establishing a conservation corps.

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

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed Second Substitute Senate Bill No. 3624.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Second Substitute Senate Bill No. 3624, and the bill passed the Senate by the following vote: Yeas, 38; nays, 08; absent, 00; excused, 03.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Hansen, Hayner, Hemstad, Hughes, Hurley, Kiskaddon, Lee, McDermott, McManus, Moore, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 38.

Voting nay: Senators Barr, Craswell, Haley, Jones, McCaslin, Metcalf, Newhouse, Pullen - 8.

Excused: Senators Benitz, Deccio, Sellar - 3.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3624, having received the 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 SENATE BILL NO. 3660, by Committee on Social and Health Services (originally sponsored by Senators McManus and Kiskaddon) (by Department of Social and Health Services request)

Modifying laws governing the department of social and health services and its powers and duties.

## MOTIONS

On motion of Senator McManus, the rules were suspended and Engrossed Substitute Senate Bill No. 3660 was returned to second reading and read the second time.

Senator Wojahn moved that the following amendment be adopted:

On page 14, after line 7 of the amendment, insert the following:

\*Sec. 19, Section 2, chapter 161, Laws of 1979 ex. sess. as last amended by section 2, chapter \_\_\_\_ (SB 4204), Laws of 1983 and RCW 70.38.025 are each amended to read as follows:

When used in this chapter, the terms defined in this section shall have the meanings indicated.

(1) "Board of health" means the state board of health created pursuant to chapter 43.20 RCW.

(2) "Capital expenditure" is an expenditure, including a force account expenditure (i.e., an expenditure for a construction project undertaken by a facility as its own contractor) which, under generally accepted accounting principles, is not properly chargeable as an expense of operation or maintenance. Where a person makes an acquisition under lease or comparable arrangement, or through donation, which would have required review if the acquisition had been made by purchase, such expenditure shall be deemed a capital expenditure. Capital expenditures include donations of equipment or facilities to a health care facility which if acquired directly by such facility would be subject to certificate of need review under the provisions of this chapter and transfer of equipment or facilities for less than fair market value if a transfer of the equipment or facilities at fair market value would be subject to such review. The cost of any studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the acquisition, improvement, expansion, or replacement of any plant or equipment with respect to which such expenditure is made shall be included in determining the amount of the expenditure.

(3) "Council" means the state health coordinating council created in RCW 70.38.055 and described in Public Law 93-641.

(4) "Department" means the state department of social and health services.

(5) "Expenditure minimum" means, for the purposes of the certificate of need program, one million dollars adjusted by the department by rule to reflect changes in the United States department of commerce composite construction cost index; or a lesser amount required by federal law and established by the department by rule.

(6) "Federal law" means Public Law 93-641, as amended, or its successor.

(7) "Health care facility" means hospices, hospitals, psychiatric hospitals, tuberculosis hospitals, ~~((alcoholism hospitals,))~~ nursing homes, kidney disease treatment centers, ambulatory surgical facilities, rehabilitation facilities, and home health agencies, and includes such facilities when owned and operated by the state or by a political subdivision or instrumentality of the state and such other facilities as required by federal law and implementing regulations, but does not include Christian Science sanatoriums operated, listed, or certified by the First Church of Christ Scientist, Boston, Massachusetts. In addition, the term does not include any nonprofit hospital: (a) Which is operated exclusively to provide health care services for children; (b) which does not charge fees for such services; (c) whose rate reviews are waived by the state hospital commission; and (d) if not contrary to federal law as necessary to the receipt of federal funds by the state.

(8) "Health maintenance organization" means a public or private organization, organized under the laws of the state, which:

(a) Is a qualified health maintenance organization under Title XIII, section 1310(d) of the Public Health Services Act; or

(b) (i) Provides or otherwise makes available to enrolled participants health care services, including at least the following basic health care services: Usual physician services, hospitalization, laboratory, x-ray, emergency, and preventive services, and out-of-area coverage; (ii) is compensated (except for copayments) for the provision of the basic health care services listed in (b)(i) to enrolled participants by a payment which is paid on a periodic basis without regard to the date the health care services are provided and which is fixed without regard to the frequency, extent, or kind of health service actually provided; and (iii) provides physicians' services primarily (A) directly through physicians who are either employees or partners of such organization, or (B) through arrangements with individual physicians or one or more groups of physicians (organized on a group practice or individual practice basis).

(9) "Health services" means clinically related (i.e., preventive, diagnostic, curative, rehabilitative, or palliative) services and includes alcoholism, drug abuse, and mental health services and as defined in federal law.

(10) "Health service area" means a geographic region appropriate for effective health planning which includes a broad range of health services and a population of at least four hundred fifty thousand persons.

(11) "Institutional health services" means health services provided in or through health care facilities and entailing annual operating costs of at least five hundred thousand dollars adjusted by the department by rule to reflect changes in the United States department of commerce composite construction cost index; or a lesser amount required by federal law and established by the department by rule: PROVIDED, That no new health care facility may be initiated as an institutional health service.

(12) "Major medical equipment" means medical equipment which is used for the provision of medical and other health services and which costs in excess of one million dollars, adjusted by the department by rule to reflect changes in the United States department of commerce composite construction cost index; or a lesser amount required by federal law and established by the department by rule; except that such term does not include medical equipment acquired by or on behalf of a clinical laboratory to provide clinical laboratory services if the

clinical laboratory is independent of a physician's office and a hospital and it has been determined under Title XVIII of the Social Security Act to meet the requirements of paragraphs (10) and (11) of section 1861(s) of such act:

(13) "Person" means an individual, a trust or estate, a partnership, a corporation (including associations, joint stock companies, and insurance companies), the state, or a political subdivision or instrumentality of the state, including a municipal corporation or a hospital district.

(14) "Provider" generally means a health care professional or an organization, institution, or other entity providing health care but the precise definition for this term shall be established by rule of the department, consistent with federal law.

(15) "Public health" means the level of well-being of the general population; those actions in a community necessary to preserve, protect, and promote the health of the people for which government is responsible; and the governmental system developed to guarantee the preservation of the health of the people.

(16) "Regional health council" means a public regional planning body or a private non-profit corporation which is organized and operated in a manner that is consistent with the laws of the state and which is capable of performing each of the functions described in RCW 70.38-.085. A regional health council shall have a governing body for health planning which is composed of a majority (but not more than sixty percent of the members) of persons who are residents of the health service area served by the entity; who are consumers of health care; who are broadly representative of the social, economic, linguistic, and racial populations, and geographic areas of the health service area, and major purchasers of health care; and who are not, nor within the twelve months preceding appointment have been, providers of health care. The remainder of the members shall be residents of the health service area served by the agency who are providers of health care.

(17) "Regional health plan" means a document which provides at least a statement of health goals and priorities for the health service area. In addition, it sets forth the number, type, and distribution of health facilities, services, and manpower needed within the health service area to meet the goals of the plan.

(18) "State health plan" means a document developed in accordance with RCW 70.38.065."

Renumber the remaining sections consecutively and correct any internal references accordingly.

#### POINT OF INQUIRY

Senator Vognild: "Senator Wojahn, I have had two or three friends that have been alcoholics and have gone to alcoholism hospital and had the majority of their costs covered by insurance. Now, I'm concerned that if we pass this amendment, would we remove them from the insurance field, and, therefore, leave these people kind of hanging out there?"

Senator Wojahn: "No; we would not. They have asked to be removed, because we would not remove them from the private insurance carrier or group insurers that they are covered by and they do not feel the need to be under and it was at their request that I offered the amendment. I was one of the sponsors of the bill to get alcohol covered under insurance, so I would not wish that to happen either."

#### POINT OF ORDER

Senator Guess: "Mr. President, in reading the synopsis as passed by the Senate before, I don't see that the bill has anything to do with alcohol hospitals and I would raise a point of scope and object on the amendment."

There being no objection, further consideration of Engrossed Substitute Senate Bill No. 3660 was deferred.

#### THIRD READING

ENGROSSED SENATE BILL NO. 3162, by Senators Talmadge, McDermott and Granlund

Modifying the property taxation on nonprofit organizations.

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

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3162.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Bill No. 3162, and the bill passed the Senate by the following vote: Yeas, 45; nays, 00; absent, 01; excused, 03.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 45.

Absent: Senator Thompson - 1.

Excused: Senators Benitz, Deccio, Sellar - 3.

ENGROSSED SENATE BILL NO. 3162, having received the 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

SUBSTITUTE SENATE BILL NO. 3267, by Committee on Ways and Means (originally sponsored by Senator McDermott) (by Department of Revenue request)

Modifying provisions on property tax exemptions and deferrals.

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

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 3267.

### ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 3267, and the bill passed the Senate by the following vote: Yeas, 43; nays, 01; absent, 02; excused, 03.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Vognild, von Reichbauer, Warnke, Wojahn, Woody, Zimmerman - 43.

Voting nay: Senator Jones - 1.

Absent: Senators Thompson, Williams - 2.

Excused: Senators Benitz, Deccio, Sellar - 3.

SUBSTITUTE SENATE BILL NO. 3267, having received the 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

SENATE BILL NO. 3238, by Senators Zimmerman, Fleming and Bluechel (by Governor Spellman request)

Changing the planning and community affairs agency to the office of community programs.

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

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Senate Bill No. 3238.

### ROLL CALL

The Secretary called the roll on final passage of Senate Bill No. 3238, and the bill passed the Senate by the following vote: Yeas, 43; nays, 02; absent, 01; excused, 03.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 43.

Voting nay: Senators Guess, Pullen - 2.

Absent: Senator Thompson - 1.

Excused: Senators Benitz, Deccio, Sellar - 3.

SENATE BILL NO. 3238, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### MOTION

At 3:01 p.m., on motion of Senator Bottiger, the Senate was declared to be at ease.



The President Pro Tempore called the Senate to order at 3:23 p.m.

#### MOTION

On motion of Senator Vognild, Senator Rinehart was excused.

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 3538, by Committee on Transportation (originally sponsored by Senators Peterson, Patterson and Haley)

Removing the traffic safety commission from the Sunset schedule and revising certain powers and duties.

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

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 3538.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 3538, and the bill passed the Senate by the following vote: Yeas, 44; nays, 00; absent, 01; excused, 04.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 44.

Absent: Senator Hurley - 1.

Excused: Senators Benitz, Deccio, Rinehart, Sellar - 4.

SUBSTITUTE SENATE BILL NO. 3538, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

President Cherberg assumed the chair.

#### MOTIONS

On motion of Senator Jones, Senators Hayner and McCaslin were excused.

On motion of Senator Shinpoch, the Senate reverted to the sixth order of business.

#### SECOND READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3768, by Committee on Ways and Means (originally sponsored by Senators Warnke, Zimmerman, Thompson, Haley, Newhouse, Bauer, Hughes, McDermott, Patterson and Hemstad)

Modifying provisions relating to the public broadcasting commission.

The bill was read the second time.

#### MOTION

On motion of Senator McDermott, the rules were suspended, Engrossed Second Substitute Senate Bill No. 3768, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Second Substitute Senate Bill No. 3768.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Second Substitute Senate Bill No. 3768, and the bill passed the Senate by the following vote: Yeas, 30; nays, 12; absent, 01; excused, 06.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Fleming, Fuller, Gaspard, Goltz, Granlund, Hansen, Hemstad, Hughes, Jones, Kiskaddon, McDermott, McManus, Moore, Newhouse, Peterson, Quigg, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 30.

Voting nay: Senators Barr, Clarke, Conner, Craswell, Guess, Hurley, Lee, Metcalf, Owen, Patterson, Pullen, Rasmussen - 12.

Absent: Senator Haley - 1.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Rinehart, Sellar - 6.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3768, having received the 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 President advanced the Senate to the seventh order of business.

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 3539, by Committee on Ways and Means (originally sponsored by Senators Granlund, McDermott and Owen)

Providing funds for jail improvement and construction.

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

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 3539.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 3539, and the bill passed the Senate by the following vote:

Yeas, 42; nays, 01; absent, 01; excused, 05.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Metcalf, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shipoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Woody, Zimmerman - 42.

Voting nay: Senator Moore - 1.

Absent: Senator Wojahn - 1.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Sellar - 5.

SUBSTITUTE SENATE BILL NO. 3539, having received the 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 SENATE BILL NO. 4055, by Committee on Transportation (originally sponsored by Senator Peterson)

Authorizing bonds for highway construction in Grant county.

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

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 4055.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 4055, and the bill passed the Senate by the following vote: Yeas, 43; nays, 00; absent, 01; excused, 05.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shipoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 43.

Absent: Senator Jones - 1.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Sellar - 5.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4055, having received the 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 SENATE BILL NO. 4089, by Senators Rinehart, Goltz, Fleming, Peterson, Talmadge and Metcalf

Permitting excess moneys in the institutional long term loan fund to be used for locally administered financial aid programs.

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

## POINT OF ORDER

Senator Clarke: "Mr. President, I raise the point that Engrossed Senate Bill No. 4089 is not eligible for consideration under the terms of House Concurrent Resolution No. 23."

Debate ensued.

There being no objection, further consideration of Engrossed Senate Bill No. 4089 was deferred.

President Pro Tempore Goltz assumed the chair.

## MOTIONS

On motion of Senator Peterson, Senate Bill No. 3135 was referred back to the Transportation Committee.

On motion of Senator Shipoch, the Senate reverted to the sixth order of business.

## SECOND READING

SENATE BILL NO. 3982, by Senators McManus, Vognild, Owen, Conner, Bender, Sellar, Gaspard, Williams, Hurley, Hansen, Fleming, Metcalf, Bauer and Warnke

Establishing the small business improvement council.

## MOTION

On motion of Senator Vognild, Substitute Senate Bill No. 3982 was substituted for Senate Bill No. 3982 and the substitute bill was placed on second reading and read the second time.

## POINT OF ORDER

Senator Guess: "I raise the point that the bill does not comply with the resolution under which we are operating. It does carry an appropriation but it's certainly not necessary to implement the budget nor is it a revenue measure. It is to create a council and we already have the small business administration centers at WSU and Eastern Washington University and Western Washington University. We also have the federal small business administration and the department of commerce and economic development."

Debate ensued.

## RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Goltz: "In ruling upon the point of order raised by Senator Guess, the President finds that Substitute Senate Bill No. 3982 does contain an appropriation, which is a budget matter and, therefore, is properly before us under sub (1) of House Concurrent Resolution No. 23."

## MOTION

On motion of Senator Vognild, the rules were suspended, Substitute Senate Bill No. 3982 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Rasmussen: "Senator McManus, you indicated you had established small business conferences--councils that are now working?"

Senator McManus: "I have as a prototype, Senator Rasmussen, established a small business advisory council in the Edmonds/Lynnwood area to see how this would work out, and it seems to be working just beautifully."

Senator Rasmussen: "From the standpoint of the small business person, wouldn't you think that this was the advisable way to proceed, setting up these councils, entirely outside of government, so we get the independent look and have no connection, whatsoever, with government?"

Senator McManus: "Well, that is precisely really what this bill does, Senator Rasmussen. All this bill is really doing is allowing us to hire a couple of staff people to provide the impetus in every legislative district around the state to see that this is

done and provide the staff support with the State Advisory Small Business Council which will advise both the legislature and the executive branch.

"The business people will, in fact, remain independent through these councils and be able to independently give their advice and recommendations to us and to the executive branch. The appropriation is merely to help provide the administrative and staff support for getting these things going and assuring their efficient, smooth operation, because you are asking all the small business people to, in fact, volunteer their time."

Further debate ensued.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 3982.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 3982, and the bill passed the Senate by the following vote: Yeas, 31; nays, 13; absent, 00; excused, 05.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, Kiskaddon, McDermott, McManus, Metcalf, Moore, Owen, Peterson, Pullen, Quigg, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 31.

Voting nay: Senators Barr, Bluechel, Clarke, Craswell, Fuller, Guess, Haley, Hemstad, Jones, Lee, Newhouse, Patterson, Rasmussen - 13.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Sellar - 5.

SUBSTITUTE SENATE BILL NO. 3982, having received the 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. 3838, by Senators McManus, Talmadge, Rinehart, Moore, Woody, Fleming, Metcalf, Quigg and Deccio

Providing for the licensing of social workers.

#### MOTION

On motion of Senator McManus, Substitute Senate Bill No. 3838 was substituted for Senate Bill No. 3838 and the substitute bill was placed on second reading and read the second time.

#### POINT OF ORDER

Senator Rasmussen: "A point of order. This is entirely new legislation and I question if Substitute Senate Bill No. 3838 falls within the bills that are before us under House Concurrent Resolution No. 23."

Debate ensued.

#### RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Goltz: "In ruling upon the point of order raised by Senator Rasmussen, the President finds that Substitute Senate Bill No. 3838 does contain an appropriation and is, therefore, a budget item. I would also suggest that the sub (1) refers to multiple budgets and not just the omnibus budget and, therefore, the matter is properly before us."

#### MOTION

Senator Shinpoch moved the following amendments be considered and adopted simultaneously:

On page 2, after line 35, insert:

"(d) To set fees in accordance with RCW 43.24.085."

On page 3, line 16, strike all of new section 7, and renumber the remaining sections accordingly.

#### PARLIAMENTARY INQUIRY

Senator Clarke: "Mr. President, a matter of parliamentary inquiry. I am asking this for the purpose of being informed with respect to possible future challenges. Do I understand that the purpose of the ruling of the President to be under item (1),

which simply states 'budget'--that any bill that requires an appropriation or provides for an appropriation in any amount, even though the appropriation is simply for the purpose of implementing functions that result from the passage of the bill constitute eligibility under House Concurrent Resolution No. 23?

"Mr. President, may I restate my question so that it is clear? My question with respect to possible future challenges as to bills as to whether they do or do not fall within the House Concurrent Resolution. Am I to interpret the ruling of the President to mean that under Item 1, which relates to budget, that if a bill has any type of appropriation even though that appropriation is simply to fund the functions that are or would be created by the adoption of the bill, constitutes a budget bill which would fall within the scope of Item 1?"

#### REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Goltz: "In response to your question, Senator Clarke, this presiding officer would rule that it would not necessarily constitute a budget bill, the condition you say would not necessarily constitute a budget bill under Item No. 1. The President also believes that the bill which is now before us is probably alive under subsection 2 of the bill more than it is under subsection 1 in that the bill will implement a budget for the Department of Licensing because of the appropriation."

Senator Clarke: "--would implement a budget that is enacted in some other budget bill?"

President Pro Tempore Goltz: "I think what the President intended to say was that the appropriation in this bill implements the budget for the Department of Licensing."

Senator Clarke: "In the regular budget bill--in the budget appropriation bill, the general appropriation bill for the Department of Licensing?"

There being no objection, further consideration of Substitute Senate Bill No. 3838 was deferred.

President Cherberg assumed the chair.

There being no objection, the Senate resumed consideration of Engrossed Senate Bill No. 3605, deferred earlier today.

#### RULING BY THE PRESIDENT

President Cherberg: "In ruling on the point of order raised by Senator Rasmussen, the President finds that Engrossed Senate Bill No. 3605 is a measure which enables purchasers of certain timber sale contracts to default on the contracts if the purchasers can prove financial hardship and that they were not aware of the default relief provisions enacted in 1982.

"The President finds that Engrossed Senate Bill No. 3605 does not come within any of the seven categories listed in House Concurrent Resolution No. 23 and, therefore, is not properly before the Senate."

Engrossed Senate Bill 3605 was ruled out of order.

There being no objection, the Senate resumed consideration of Engrossed Substitute Senate Bill No. 3660, deferred earlier today.

#### RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the point of order raised by Senator Gues, the President finds that Engrossed Substitute Senate Bill No. 3660 is an omnibus measure modifying the laws governing the powers and duties of the Department of Social and Health Services.

"The amendment proposed by Senator Wojahn, also deals with the powers and duties of the Department of Social and Health Services in its administration of the certificate of need program by removing alcoholism hospitals from certificate of need requirements.

"The President, therefore, finds that the proposed amendment does not expand the scope and object of the bill and that the point of order is not well taken."

The amendment was ruled in order.

The President declared the question before the Senate to be adoption of the amendment by Senator Wojahn on page 14, line 7.

The motion by Senator Wojahn carried and the amendment was adopted.

## MOTIONS

On motion of Senator Wojahn, the following title amendment was adopted:

On page 1, line 25 of the title, after "43.20A RCW;" insert "amending section 2, chapter 161, Laws of 1979 ex. sess. as last amended by section 2, chapter---SB 4204), Laws of 1983 and RCW 70.38.025;"

On motion of Senator McManus the rules were suspended, Reengrossed Substitute Senate Bill No. 3660 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Reengrossed Substitute Senate Bill No. 3660.

## ROLL CALL

The Secretary called the roll on final passage of Reengrossed Substitute Senate Bill No. 3660, and the bill passed the Senate by the following vote: Yeas, 42; nays, 02; absent, 00; excused, 05.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 42.

Voting nay: Senators Guess, Pullen - 2.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Sellar - 5.

REENGROSSED SUBSTITUTE SENATE BILL NO. 3660, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate resumed consideration of Engrossed Senate Bill No. 4089, deferred earlier today.

## RULING BY THE PRESIDENT

President Cherberg: "In ruling on the point of order raised by Senator Clarke, the President finds that Engrossed Senate Bill No. 4089 is a measure which authorizes the use of monies deposited in institutional long term loan funds which are not used in making loans could be used by the institution for locally-administered financial aid programs for needy students.

"The President finds that Engrossed Senate Bill No. 4089 does not come within any of the seven categories listed in House Concurrent Resolution No. 23 and, therefore, is not properly before the Senate."

Engrossed Senate Bill No. 4089 was ruled out of order.

## THIRD READING

SENATE BILL NO. 3784, by Senators Vognild, Quigg and Shinpoch (by Department of Employment Security request)

Modifying period during which moneys from the federal unemployment trust fund may be used by the state.

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

The President declared the question before the Senate to be the roll call on final passage of Senate Bill No. 3784.

## ROLL CALL

The Secretary called the roll on final passage of Senate Bill No. 3784, and the bill passed the Senate by the following vote: Yeas, 44; nays, 00; absent, 00; excused, 05.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 44.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Sellar - 5.

SENATE BILL NO. 3784, having received the 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 SENATE BILL NO. 3099, by Senators Bauer, Bluechel, Hughes and Zimmerman

Modifying interest rate for back taxes on re-classified open space land.

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

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3099.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Bill No. 3099, and the bill passed the Senate by the following vote:

Yeas, 44; nays, 00; absent, 00; excused, 05.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 44.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Sellar - 5.

ENGROSSED SENATE BILL NO. 3099, having received the 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

SUBSTITUTE SENATE BILL NO. 3244, by Committee on Ways and Means (originally sponsored by Senators Thompson, Jones, Bauer, Bluechel, Fuller, Granlund and Bender) (by Governor Spellman request)

Modifying provisions on excise taxes.

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

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 3244.

## ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 3244, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; excused, 5.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 43.

Voting nay: Senator Pullen - 1.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Sellar - 5.

SUBSTITUTE SENATE BILL NO. 3244, having received the 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

SENATE BILL NO. 3413, by Senators Hughes and Lee (by Parks and Recreation Commission request)

Modifying provisions relating to nonresident camping fee surcharges at state parks.

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

The President declared the question before the Senate to be the roll call on final passage of Senate Bill No. 3413.

## ROLL CALL

The Secretary called the roll on final passage of Senate Bill No. 3413, and the bill passed the Senate by the following vote: Yeas, 44; nays, 00; absent, 00; excused, 05.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley,

Jones, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shipoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 44.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Sellar - 5.

SENATE BILL NO. 3413, having received the 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 SENATE BILL NO. 3814, by Committee on Ways and Means (originally sponsored by Senators McDermott, Warnke, Rasmussen, Bauer, Gaspard, Woody, McManus, Bottiger, Moore and Wojahn)

Modifying provisions relating to the state lottery.

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

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3814.

### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 3814, and the bill passed the Senate by the following vote: Yeas, 32; nays, 12; absent, 00; excused, 05.

Voting yea: Senators Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Gaspard, Goltz, Granlund, Hansen, Hemstad, Hurley, Kiskaddon, Lee, McDermott, McManus, Metcalf, Newhouse, Owen, Patterson, Pullen, Rasmussen, Rinehart, Shipoch, Talmadge, Thompson, Warnke, Williams, Wojahn, Woody, Zimmerman - 32.

Voting nay: Senators Barr, Bauer, Fuller, Guess, Haley, Hughes, Jones, Moore, Peterson, Quigg, Vognild, von Reichbauer - 12.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Sellar - 5.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3814, having received the 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 President reverted the Senate to the sixth order of business.

### SECOND READING

SENATE BILL NO. 4102, by Senator Gaspard

Providing tuition incentives for students studying to be math and science teachers.

### MOTIONS

On motion of Senator Gaspard, Second Substitute Senate Bill No. 4102 was substituted for Senate Bill No. 4102 and the second substitute bill was placed on second reading and read the second time.

On motion of Senator Gaspard the rules were suspended, Second Substitute Senate Bill No. 4102 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

### POINT OF INQUIRY

Senator Rasmussen: "Senator Bauer, I just wondered--did you ever read the Strayer Report?"

Senator Bauer: "Yes, sir."

Senator Rasmussen: "And it was going to solve all the problems of education too. I do hope that your new study will solve them better than the Strayer Report. We have adopted very little of that."

Senator Bauer: "Senator Rasmussen, the Strayer Report was done by professional educators and it did a good job and made some good recommendations. This report is done by citizens in the state of Washington, appointed by the Governor and under good leadership of Fred Haley and others and they are going to do a good job for you, Senator Rasmussen."

Further debate ensued.



The President declared the question before the Senate to be the roll call on final passage of Second Substitute Senate Bill No. 4102.

## ROLL CALL

The Secretary called the roll on final passage of Second Substitute Senate Bill No. 4102, and the bill passed the Senate by the following vote: Yeas, 39; nays, 05; absent, 00; excused, 05.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognilid, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 39.

Voting nay: Senators Barr, Craswell, Haley, Metcalf, Pullen - 5.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Sellar - 5.

SECOND SUBSTITUTE SENATE BILL NO. 4102, having received the 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 President advanced the Senate to the seventh order of business.

## THIRD READING

SENATE BILL NO. 3188, by Senators Talmadge and Hemstad

Regulating timeshare offerings in this state.

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

The President declared the question before the Senate to be the roll call on final passage of Senate Bill No. 3188.

## ROLL CALL

The Secretary called the roll on final passage of Senate Bill No. 3188, and the bill passed the Senate by the following vote: Yeas, 43; nays, 01; absent, 00; excused, 05.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognilid, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 43.

Voting nay: Senator Pullen - 1.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Sellar - 5.

SENATE BILL NO. 3188, having received the 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

SUBSTITUTE SENATE BILL NO. 3372, by Committee on Natural Resources (originally sponsored by Senators Vognilid, Owen and Metcalf) (by Department of Game request)

Implementing civil penalty system for recovery of wildlife values.

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

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 3372.

## ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 3372, and the bill passed the Senate by the following vote: Yeas, 44; nays, 00; absent, 00; excused, 05.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognilid, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 44.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Sellar - 5.

SUBSTITUTE SENATE BILL NO. 3372, having received the 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

SENATE BILL NO. 3379, by Senators Owen, Fuller, Vognild, Bender and Quigg  
Providing group fishing permits for the handicapped and senior citizens.

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

The President declared the question before the Senate to be the roll call on final passage of Senate Bill No. 3379.

#### ROLL CALL

The Secretary called the roll on final passage of Senate Bill No. 3379, and the bill passed the Senate by the following vote: Yeas, 43; nays, 00; absent, 01; excused, 05.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shipoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 43.

Absent: Senator Craswell - 1.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Sellar - 5.

SENATE BILL NO. 3379, having received the 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 SENATE BILL NO. 3647, by Senators Thompson, Fuller, Owen, Patterson, Bauer and Moore

Modifying provisions relating to the sale of surplus salmon.

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

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3647.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Bill No. 3647, and the bill passed the Senate by the following vote:

Yeas, 43; nays, 00; absent, 01; excused, 05.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shipoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 43.

Absent: Senator Metcalf - 1.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Sellar - 5.

ENGROSSED SENATE BILL NO. 3647, having received the 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

SUBSTITUTE SENATE BILL NO. 3800, by Committee on Natural Resources (originally sponsored by Senator Owen)

Modifying provisions relating to fishing licenses.

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

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 3800.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 3800, and the bill passed the Senate by the following vote:

Yeas, 40; nays, 02; absent, 02; excused, 05.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn - 40.

Voting nay: Senators Barr, Zimmerman - 2.

Absent: Senators Metcalf, Woody - 2.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Sellar - 5.

SUBSTITUTE SENATE BILL NO. 3800, having received the 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

SENATE BILL NO. 3981, by Senators McManus, Vognild, Conner, Hansen and Warnke

Establishing the jobs again council.

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

### POINT OF ORDER

Senator Newhouse: "Mr. President, I would like to raise the point that 3981 does not seem to fit within our concurrent resolution limiting the session."

Debate ensued.

There being no objection, further consideration of Senate Bill No. 3981 was deferred.

President Pro Tempore Goltz assumed the chair.

### THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3387, by Committee on Judiciary (originally sponsored by Senators Moore, Jones, Goltz, Shinpoch and Talmadge)

Penalizing interference with the lawful custody of a child.

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

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3387.

### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 3387, and the bill passed the Senate by the following vote: Yeas, 43; nays, 00; absent, 01; excused, 05.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 43.

Absent: Senator Metcalf - 1.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Sellar - 5.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3387, having received the 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 President Pro Tempore returned the Senate to the sixth order of business.

### SECOND READING

SENATE BILL NO. 4158, by Senators Thompson, McDermott, Fuller, Bauer, Barr and Owen

Authorizing counties to impose an excise tax on timber.

### MOTIONS

On motion of Senator Thompson, Substitute Senate Bill No. 4158 was substituted for Senate Bill No. 4158 and the substitute bill was placed on second reading and read the second time.

Senator Thompson moved the following amendments by Senators Thompson and McDermott be considered and adopted simultaneously:

Amend Section 5 (2)(b) to read as follows:

Page 6, line 20, strike the word "the" and everything down through the end of the subsection and insert, one-half of the timber assessed value of the district or 80 percent of the timber roll of such district in calendar year 1983 as determined under provisions of RCW 84.33, whichever is greater, multiplied by the tax rate, if any, levied by the district under the provisions of RCW 84.52.052 or RCW 84.52.053 for purposes other than debt service payments and capital projects supported under the provisions of (2)(a) of this section.

Amend Section 6 (1) to read as follows:

Page 6, line 7, after "chapter 84.52" add .052

Page 6, line 11, after the word "value" strike everything down through the end of the subsection and insert, determined in Section 5, subsection (2)(b).

#### PARLIAMENTARY INQUIRY

Senator Pullen: "A point of parliamentary inquiry. Are we dealing with the amendments on page 6, line 20, page 6, line 7, page 6, line 11?"

#### REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Goltz: "As I understand it, Senator Pullen, we are dealing with all three amendments--page 6, line 20, page 6, line 7 and page 6, line 11."

The President Pro Tempore declared the question before the Senate to be adoption of the amendments by Senators Thompson and McDermott.

The motion by Senator Thompson carried and the amendments were adopted.

#### MOTIONS

On motion of Senator Thompson, the following amendment by Senators Thompson and Hemstad was adopted:

On page 6, line 16, after "service" insert "and capital projects: PROVIDED, That in respect to levies for a debt service or capital project fund authorized before the effective date of this act, the amount allocated shall not be less than an amount equal to the same percentage of such debt service or capital project fund represented by timber tax allocations to such payments in calendar year 1983"

On motion of Senator Thompson, the following amendments by Senators Thompson and Hemstad were considered and adopted simultaneously:

On page 6, line 17, after "payments" insert "and capital projects"

On page 6, line 20, after "equal to" strike all material through "section," on line 24 and insert "one-half of the timber assessed value of the district or eighty percent of the timber roll of such district in calendar year 1983 as determined under chapter 84.33 RCW, whichever is greater, multiplied by the tax rate, if any, levied by the district under RCW 84.52.052 or 84.52.053 for purposes other than debt service payments and capital projects supported under subsection (2)(a) of this section."

On page 7, line 7, strike "chapter 84.52 RCW" and insert "RCW 84.52.052"

On page 7, line 11, after "value," strike all material through "district." and insert "determined under section 5(2)(b) of this act."

#### MOTIONS

On motion of Senator McDermott, the rules were suspended, Engrossed Substitute Senate Bill No. 4158 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

On motion of Senator Zimmerman, Senator Quigg was excused.

#### POINT OF INQUIRY

Senator Bottiger: "Mr. President, just to make the record straight Senator McDermott, I understand as I read this bill that this is money that would have been distributed to school districts anyhow but is there any loss to the general fund from the passage of this bill?"

Senator McDermott: "No, Senator Bottiger."

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 4158.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 4158, and the bill passed the Senate by the following vote: Yeas, 42; nays, 00; absent, 01; excused, 06.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Rasmussen, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wajahn, Woody, Zimmerman - 42.

Absent: Senator Rinehart - 1.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Quigg, Sellar - 6.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4158, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

President Cherberg assumed the chair.

There being no objection, the Senate resumed consideration of Senate Bill No. 3981, deferred earlier today.

## RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the point of order raised by Senator Newhouse, the President finds that Senate Bill No. 3981 is a measure which simply establishes the Jobs Again Council.

"The President finds that Senate Bill 3981 does not come within any of the seven categories listed in House Concurrent Resolution No. 23 and therefore is not properly before the Senate."

Senate Bill No. 3981 was ruled out of order.

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

## THIRD READING

ENGROSSED SENATE BILL NO. 3309, by Senators McManus, McDermott, Talmadge, Jones and Bottiger

Modifying cigarette taxes.

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

## POINT OF INQUIRY

Senator Haley: "Senator McManus, our amendment added respiratory and cardiactric diseases. Is that still part of the bill?"

Senator McManus: "That is still part of the bill."

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3309.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Bill No. 3309, and the bill passed the Senate by the following vote: Yeas, 39; nays, 04; absent, 00; excused, 06.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wajahn, Woody, Zimmerman - 39.

Voting nay: Senators Craswell, Haley, Hansen, Pullen - 4.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Quigg, Sellar - 6.

ENGROSSED SENATE BILL NO. 3309, having received the 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 SENATE BILL NO. 3390, by Senators Owen and Fuller (by Department of Game request)

Permitting up to seven letters or numbers on personalized license plates.

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

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3390.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Bill No. 3390, and the bill passed the Senate by the following vote:

Yeas, 43; nays, 00; absent, 00; excused, 06.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 43.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Quigg, Sellar - 6.

ENGROSSED SENATE BILL NO. 3390, having received the 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

SENATE BILL NO. 3169, by Senators Goltz and Owen (by Department of Game request)

Making various housekeeping changes in the game laws.

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

The President declared the question before the Senate to be the roll call on final passage of Senate Bill No. 3169.

## ROLL CALL

The Secretary called the roll on final passage of Senate Bill No. 3169, and the bill passed the Senate by the following vote:

Yeas, 41; nays, 02; absent, 00; excused, 06.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 41.

Voting nay: Senators Pullen, Rasmussen - 2.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Quigg, Sellar - 6.

SENATE BILL NO. 3169, having received the 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

SUBSTITUTE SENATE BILL NO. 3504, by Committee on Local Government (originally sponsored by Senators Owen and Zimmerman)

Modifying provisions on land classified for current use assessment.

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

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 3504.

## ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 3504, and the bill passed the Senate by the following vote: Yeas, 43; nays, 00; absent, 00; excused, 06.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson,

Peterson, Pullen, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 43.

Excused: Senators Benitz, Deccio, Hayner, McCaslin, Quigg, Sellar - 6.

SUBSTITUTE SENATE BILL NO. 3504, having received the 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 President reverted the Senate to the fourth order of business.

#### MESSAGES FROM THE HOUSE

April 28, 1983

Mr. President:

The Speaker has signed:

ENGROSSED SENATE BILL NO. 3519,

SENATE CONCURRENT RESOLUTION NO. 118, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

April 28, 1983

Mr. President:

The House has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3056,

ENGROSSED SUBSTITUTE SENATE BILL NO. 3266,

REENGROSSED SUBSTITTUTE SENATE BILL NO. 3856, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 3056,

SUBSTITUTE SENATE BILL NO. 3266,

SUBSTITTUTE SENATE BILL NO. 3856.

#### MOTION

At 5:50 p.m., on motion of Senator Shinpoch, the Senate adjourned until 10:00 a.m., Friday, April 29, 1983.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## FIFTH DAY

---

### MORNING SESSION

---

Senate Chamber, Olympia, Friday, April 29, 1983

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Benitz, Clarke, Deccio, Fleming, Fuller, Haley, Hayner, Hemstad, Hughes, Lee and McCaslin. On motion of Senator Vognild, Senators Fleming and Hughes were excused. On motion of Senator Jones, Senators Benitz, Clarke, Deccio, Hayner, Hemstad, Lee and McCaslin were excused.

The Sergeant at Arms Color Guard, consisting of Pages Allyson Davis and Chris Biggs, presented the Colors. Reverend Charles Loyer, retired pastor of Westminster United Presbyterian Church of Olympia, offered the prayer.

### MOTION

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

### MOTION

On motion of Senator Bottiger, the Senate advanced to the seventh order of business.

### THIRD READING

SENATE BILL NO. 3985, by Senators Vognild and Quigg (by Gambling Commission request)

Repealing provisions relating to special taxes on coin-operated devices.

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

### POINT OF INQUIRY

Senator Metcalf: "Senator Vognild, this says this is to have a special tax of \$350 per client to operate the machines and this gives the Commission the authority to levy the fees. Are we assuming, now, that the fees will be less than \$350 or more than \$350? I would just like to have an idea of what would be the effect."

Senator Vognild: "Senator, the fees will be slightly less--over all for some of the operator--those people who use the coin-operated devices. Basically, this started three years ago when the federal government had a \$350 license fee on all coin-operated machines. They repealed it. The state picked it up, then the state repealed it and it was vetoed by the Governor and was put back in the code. Basically, because you have coin-operated and you have non coin-operated--you have two types of tax being levied for the same purpose. By repealing this, all will be taxed on the same basis. It will amount to slightly less tax on the coin-operated, but an equalization of the tax on pull-tabs throughout the state."

Further debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Senate Bill No. 3985.

### ROLL CALL

The Secretary called the roll on final passage of Senate Bill No. 3985, and the bill passed the Senate by the following vote: Yeas, 28; nays, 9; absent, 3; excused, 9.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Gaspard, Goltz, Guess, Hansen, Hurley, Jones, Kiskaddon, McDermott, McManus, Moore, Newhouse, Owen, Peterson, Quigg, Rasmussen, Sellar, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody - 28.

Voting nay: Senators Barr, Bluechel, Craswell, Granlund, Metcalf, Patterson, Pullen, Rinehart, Zimmerman - 9.

Absent: Senators Fuller, Haley, Shinpoch - 3.



Excused: Senators Benitz, Clarke, Deccio, Fleming, Hayner, Hemstad, Hughes, Lee, McCaslin - 9.

SENATE BILL NO. 3985, having received the 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 HOUSE BILL NO. 239, by Representatives Pruitt, Barnes, Fisch, Miller, Long, Schoon, Patrick, Fisher, Jacobsen, Zellinsky, Silver, Belcher, Isaacson, Vekich, Dellwo, Tanner, Todd, Schmidt and Crane (by Secretary of State request)

Regulating exit polling.

### MOTION

On motion of Senator Talmadge, the rules were suspended and Engrossed House Bill No. 239 was returned to second reading and read the second time.

Senator Talmadge moved the following Committee on Judiciary amendments be considered and adopted simultaneously:

On page 1, line 8 of the engrossed bill, being page 1, line 8 of the printed bill, after "place" strike "a building in which a polling place is located"

On page 1, line 9 of the engrossed bill, being page 1, line 9 of the printed bill, after "or" insert "in any public area"

On page 1, line 10 of the engrossed bill, being page 1, line 10 of the printed bill, strike "building" and insert "polling place"

Debate ensued.

The President declared the question before the Senate to be adoption of the three Committee on Judiciary amendments.

The motion by Senator Talmadge carried and the Committee on Judiciary amendments were adopted.

### MOTION

Senator Newhouse moved adoption of the following amendment by Senators Newhouse, Woody and Thompson:

On page 1, line 9, after "within" strike "one" and insert "three"

### POINT OF INQUIRY

Senator Bottiger: "Senator Newhouse, when that amendment was offered before, the question arose as to what would happen to say--a billboard on which someone had a vote 'yes' for school levies--that was within three hundred feet of the polling place. Has that been examined and do we have any concern there?"

Senator Newhouse: "I think the answer would be that a billboard would be on private property, billboards not being allowed on public streets or something like that. Therefore, anything on private property is not controlled."

### REMARKS BY SENATOR TALMADGE

Senator Talmadge: "Mr. President and members of the Senate, to further answer that question, in considering this amendment, the Secretary of State's Office advises us that if you use the place of polling as the measurement rather than the edge of the property or the edge of the building, the one hundred feet versus three hundred feet works out to be approximately the same. It may be a little bit larger zone of protection with three hundred feet, but not a sufficiently larger area to have an adverse impact on the electoral process, and as Senator Newhouse points out that this applies only to public property as opposed to private property."

### POINT OF INQUIRY

Senator Patterson: "Senator Talmadge, I'm just trying to get a little clarification. I have my private panel truck and I'm driving down a public highway and across the street from the polling place. Is there anything in this that would not allow me to have a sign up that says vote for "Talmadge for State Senate"? Is there anything in this law that would preclude me from moving back and forth down that street during the day of polling?"

Senator Talmadge: "Senator Patterson, my response to that would be the statute as it now is drafted prohibits any kind of electioneering within one hundred

feet. I suspect that if you were to do that kind of thing with the purpose of electioneering within one hundred feet of the polling place now, you would be in violation. Similarly, you would be in violation whether it was three hundred feet or one hundred feet after this bill, if it were to pass."

Senator Patterson: "I was trying to get at the stationary sign on private property versus the moving sign that would be on my private property, which would be my panel truck."

Senator Talmadge: "The more customary concern that we've heard expressed is if someone has one of these large signs placed on the truck and parks the vehicle ninety-nine feet from the polling place all day long--clearly for electioneering purposes--that would be a violation now and it would be a violation in the future with the three hundred feet."

#### POINT OF INQUIRY

Senator Guess: "Senator Talmadge, the question of Senator Patterson raises another question. I have my sign plastered on the side of my pick-up. Can I go to the polling place in my pick-up?"

Senator Talmadge: "Senator, I think the clear response to that is if you go to the polling place for the purpose of voting--or if somebody is a teacher at the high school where you do the voting and they have a bumper strip on their car--the purpose of that is not for electioneering so much as it is to do your normal parking where you're voting. I think it's clear that it's not intended for electioneering purposes, and I don't see any problem with the violation of the statutes under those circumstances."

#### POINT OF INQUIRY

Senator Goltz: "Senator Talmadge, I noticed in the provision for penalties that it refers to an RCW with regard to the penalties of making this a misdemeanor. I have two questions: First of all, how does the arrest or the citation get made, and secondly, what is the penalty under this bill?"

Senator Talmadge: "With the misdemeanor, Senator Goltz, it would have to be brought to the attention of a law enforcement officer who would have to see the violation in progress before the law enforcement officer could actually do the arrest. The penalty or the normal penalty for misdemeanor, I suspect, as much as thirty days in the county jail and a fine, and I'm not exactly certain how much the fine might be. I would point out further, though, with the amount of work that the local county prosecuting attorneys have and the amount of case loads that each one of those people faces, that I don't suspect that this is the kind of crime that would be frequently prosecuted unless the violation really increases."

Senator Goltz: "Is there such a thing as a citizen's arrest possible under this law?"

Senator Talmadge: "There is a citizen's arrest possibility under Washington law always. We recognize that concept. It's more likely that you'd have to have the law enforcement officer actually see the violation in progress."

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

The motion by Senator Newhouse carried and the amendment was adopted.

#### MOTIONS

On motion of Senator Vognild, Senator Shinpoch was excused.

On motion of Senator Talmadge, the rules were suspended, Engrossed House Bill No. 239, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The President declared the question before the Senate to be final passage of Engrossed House Bill No. 239, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed House Bill No. 239, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 33; nays, 06; absent, 02; excused, 08.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Gaspard, Goltz, Granlund, Hansen, Hemstad, Hurley, Jones, Kiskaddon, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Rasmussen, Rinehart, Sellar, Taimadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 33.

Voting nay: Senators Guess, Peterson, Pullen, Quigg, von Reichbauer, Zimmerman - 6.

Absent: Senators Fuller, Haley - 2.

Excused: Senators Benitz, Deccio, Fleming, Hayner, Hughes, Lee, McCaslin, Shinpoch - 8.

ENGROSSED HOUSE BILL NO. 239, 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.

#### PARLIAMENTARY INQUIRY

Senator Metcalf: "Thank you, Mr. President, I would respectfully request that we be provided with a list of what bills we're taking in order. I know this is really difficult for the leadership to determine this but you can't imagine how difficult it is for us to sit here and to have four calendars and have no idea which bill is coming up on which calendar. We really would like to know."

#### REMARKS BY SENATOR BOTTIGER

Senator Bottiger: "Mr. President, we're going to recess 'til 1:30 for the purposes of caucus. I told your caucus leadership that we'd like to go over the rest of the House bills. These were bills in dispute. In most cases, I'm told, there is a Conference Committee Report that's ready to be attached as a Senate amendment. There is a blue calendar which is the concurring amendment, and we'll go through those. Now, obviously, some of them will have holds on them because the conference conferees are not through. On the yellow calendar, there are two that fall in that classification, choke hold and body searches, and that's what I've informed your leadership. I hope we can handle, at least, a part of it at 1:30."

#### INTRODUCTION OF SPECIAL GUESTS

The President introduced special guests from Operations Crossroads Africa, Inc. who were seated with him on the rostrum: The Honorable Mr. Sess Henri Adou, head of the legislative services for the National Assembly of the Ivory Coast, the Honorable Dr. Rony Gilot, secretary of the National Committee for Jean-Claudiste Action of Haiti, The Honorable Citizen Yemba-Ke-Lwedit Jasari, head of the Division of Protocol and Public Relations Legislative Council in Zaire, Africa, and The Honorable Mr. Robert Vehr, an official of the Operation Crossroads Africa, Inc., who served as interpreter.

With permission of the Senate, business was suspended to permit Mr. Adou to address the Senate.

#### PERSONAL PRIVILEGE

Senator Jones: "Mr. President, if the body will excuse me, I know they're all anxious to get off to caucus, but I have a son who served in the Peace Corps in Ghana, that was known as the Gold Coast, and as a result of his experience I have a much more peace and abiding feeling for the peoples of Africa, and the words that were expressed by our speaker from Africa, I'm sure are mutually expressed by this body. I thank them for the respect and their attending and their concern for our deliberations here in this body."

#### MOTION

At 10.45 a.m., on motion of Senator Bottiger, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

The President Pro Tempore called the Senate to order at 1:30 p.m.

#### THIRD READING

SENATE CONCURRENT RESOLUTION NO. 123, by Committee on State Government (originally sponsored by Senators Warnke, Rasmussen, Jones, McCaslin, McDermott, Rinehart and Zimmerman

Resolving to create the Joint Select Committee on Indian Affairs.

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

## MOTIONS

On motion of Senator Zimmerman, Senator Barr was excused.

On motion of Senator Shinpoch, Senator Hurley was excused.

On motion of Senator Warnke, Senator Hansen was excused.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Senate Concurrent Resolution No. 123.

## ROLL CALL

The Secretary called the roll on final passage of Senate Concurrent Resolution No. 123, and the resolution passed the Senate by the following vote: Yeas, 34; nays, 00; absent, 05; excused, 10.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Hemstad, Jones, Kiskaddon, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Rasmussen, Rinehart, Shinpoch, Talmadge, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 34.

Absent: Senators Craswell, Guess, Haley, Quigg, Thompson - 5.

Excused: Senators Barr, Benitz, Deccio, Hansen, Hayner, Hughes, Hurley, Lee, McCaslin, Sellar - 10.

SENATE CONCURRENT RESOLUTION NO. 123, having received the constitutional majority, was declared passed.

## THIRD READING

SENATE CONCURRENT RESOLUTION NO. 126, by Senators Shinpoch, Talmadge, Vognild, McDermott, Moore, Owen, Warnke, Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McManus, Peterson, Rinehart, Thompson, Williams, Wojahn and Woody.

Relating to reasonable home mortgage financing through state investments.

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

## PARLIAMENTARY INQUIRY

Senator Pullen: "Mr. President, I was wondering if this particular concurrent resolution requires a roll call vote. Under Rule 58 it says that 'concurrent resolutions authorizing investigation or authorizing the expenditure of money must be adopted by roll call.' However, if I understood Senator Shinpoch's explanation correctly, this particular measure neither authorizes an investigation or provides for the spending of any money and to facilitate matters I was thinking that there's no need to adopt it by roll call."

## REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Goltz: "Senator Pullen, the Secretary advises that inasmuch as this resolution establishes a committee which will be paid per diem and that there will be expenditures, then it is proper to call the roll.

"I am further advised, Senator Pullen, that there is not a committee established--this is an advisory resolution and, therefore, a roll call is not necessary."

The President Pro Tempore declared the question before the Senate to be adoption of Senate Concurrent Resolution No. 126.

The resolution was adopted.

## MOTION

On motion of Senator Clarke, Senator Guess was excused.

## THIRD READING

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 112, by Committee on Social and Health Services (originally sponsored by Senators Haley, McManus and Deccio)

Printing a study on health care cost containment.

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

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Substitute Senate Concurrent Resolution No. 112.

## ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Concurrent Resolution No. 112, and the resolution passed the Senate by the following vote: Yeas, 37; nays, 00; absent, 01; excused, 11.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Haley, Hemstad, Jones, Kiskaddon, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 37.

Absent: Senator Clarke - 1.

Excused: Senators Barr, Benitz, Deccio, Guess, Hansen, Hayner, Hughes, Hurley, Lee, McCaslin, Sellar - 11.

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 112, having received the constitutional majority, was declared passed.

## THIRD READING

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 116, by Senators Wojahn, Rasmussen, Patterson and Haley

Establishing a joint ad hoc legislative committee on community college financing and governance.

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

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed Senate Concurrent Resolution No. 116.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Concurrent Resolution No. 116, and the resolution passed the Senate by the following vote: Yeas, 36; nays, 02; absent, 00; excused, 11.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Craswell, Fleming, Gaspard, Goltz, Granlund, Haley, Hemstad, Jones, Kiskaddon, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Jones, McCaslin, McDermott, Rinehart and Zimmerman Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 36.

Voting nay: Senators Bluechel, Fuller - 2.

Excused: Senators Barr, Benitz, Clarke, Deccio, Guess, Hansen, Hayner, Hughes, Hurley, Lee, McCaslin - 11.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 116, having received the constitutional majority, was declared passed.

## THIRD READING

SENATE CONCURRENT RESOLUTION NO. 121, by Senators McDermott, Deccio, Wojahn, Lee, Shinpoch and Hayner

Establishing a joint committee on health care financing.

## MOTIONS

On motion of Senator McDermott, the rules were suspended and Senate Concurrent Resolution No. 121 was returned to second reading and read the second time.

On motion of Senator McDermott, the following amendments were considered and adopted simultaneously:

On line 18, after "respective" strike the words "chairmen of the"

On line 21, after "selected" insert the following: "in the House by the Speaker and in the Senate"

## MOTION

On motion of Senator McDermott the rules were suspended, Engrossed Senate Concurrent Resolution No. 121 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed Senate Concurrent Resolution No. 121.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Concurrent Resolution No. 121, and the resolution passed the Senate by the following vote: Yeas, 36; nays, 00; absent, 02; excused, 11.

Voting yea: Senators Bender, Bluechel, Bottiger, Conner, Craswell, Fuller, Gaspard, Goltz, Granlund, Haley, Hemstad, Jones, Kiskaddon, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 36.

Absent: Senators Bauer, Fleming - 2.

Excused: Senators Barr, Benitz, Clarke, Deccio, Guess, Hansen, Hayner, Hughes, Hurley, Lee, McCaslin - 11.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 121, having received the constitutional majority, was declared passed.

There being no objection, the President Pro Tempore reverted the Senate to the fourth order of business.

## MESSAGE FROM THE HOUSE

April 26, 1983

Mr. President:

The House has passed SUBSTITUTE SENATE BILL NO. 3520 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. There is added to chapter 29.10 RCW a new section to read as follows:

Challenges of voter registration filed within thirty days of any primary or election, general or special, shall be administered wholly under sections 2 and 3 of this act.

NEW SECTION, Sec. 2. There is added to chapter 29.10 RCW a new section to read as follows:

Registration of a person as a voter is presumptive evidence of his or her right to vote at any primary or election, general or special, but a person's right to vote may be challenged at the polls by a precinct election officer and he or she may be required then and there to establish his or her right to vote. Each precinct election officer shall challenge a person offering to vote when the officer knows or suspects the person to be unqualified as a voter.

Challenges may be initiated by a registered voter subject to the following conditions:

(1) Challenges on grounds other than residence may be made at the polls and the person challenged may be required then and there to establish his or her right to vote to the precinct election officers;

(2) Challenges on the grounds of residence alone must be filed not later than seven days before any primary or election, general or special, at the office of the appropriate county auditor. A challenged voter may properly transfer or reregister until three days before the primary or election, general or special, by applying personally to the county auditor.

NEW SECTION, Sec. 3. There is added to chapter 29.10 RCW a new section to read as follows:

When the right of a person has been challenged under section 2 of this act, the officers conducting the election at the polling place shall require the challenged person to vote a ballot which shall be placed in a sealed envelope separate from other voted ballots. In precincts where voting machines are used, any person whose right to vote is challenged under section 2 of this act shall be furnished with a paper ballot, which shall be placed in a sealed envelope after being marked. The sealed ballots of challenged voters shall be transmitted at the close of the election to the canvassing board or other authority charged by law with canvassing the returns of the particular primary or election. The challenging party must prove to the canvassing board or authority by clear and convincing evidence that the challenged voter's registration is improper. If the challenging party fails to meet this burden, the challenged ballot shall be accepted as valid and counted. The canvassing board or authority shall give the challenged voter the opportunity to present testimony and evidence to the canvassing board or authority before making its determination. All challenged ballots must be determined no later than the time of canvassing for the particular primary or election. The decision of the canvassing board or other authority charged by law with canvassing the returns shall be final. Challenges of absentee ballots shall be determined according to RCW 29.36.100.

Sec. 4. Section 2, chapter 156, Laws of 1965 ex. sess. as amended by section 2, chapter 225, Laws of 1967 and RCW 29.10.130 are each amended to read as follows:

Any (~~precinct committeeman, precinct election officer or registration officer~~) registered voter may (~~sign a preliminary~~) request that the registration of another voter be canceled if that voter no longer maintains a legal voting residence at the address shown on his or her registration record. The challenger shall sign a form, subject to the penalties of perjury, to the

effect that to his or her personal knowledge and belief another registered voter does not actually reside ~~((and maintain his abode))~~ at the address as given on his or her registration record and that the voter in question is not protected by the provisions of Article VI, section 4, of the Constitution of the state of Washington ~~((PROVIDED That (1) a precinct committeeman or precinct election officer may only challenge the residence of a voter registered in the precinct wherein such precinct committeeman or precinct election officer serves and (2)))~~. The person filing ~~((such))~~ the challenge must furnish the address at which the challenged voter actually resides in order to assure that proper notice will be received by the challenged voter.

Sec. 5. Section 3, chapter 156, Laws of 1965 ex. sess. as last amended by section 34, chapter 202, Laws of 1971 ex. sess. and RCW 29.10.140 are each amended to read as follows:

All ~~((such signed forms))~~ challenges of voter registration under RCW 29.10.130 shall be delivered to the appropriate county auditor who shall ~~((cancel the registration records of the voters concerned on the thirtieth day following date of mailing or as soon thereafter as is practicable PROVED That))~~ send, by certified mail, a notice of intent to cancel the registration on account of a ~~((claimed change))~~ challenge of residence ~~((shall be mailed by certified mail))~~ to that address at which the challenged voter ~~((actually resides in order to assure that proper notice will be received by the challenged voter))~~ is alleged to reside and to the address of the challenged voter listed on the registration record.

Any voter ~~((;))~~ whose registration has been so ~~((questioned;))~~ challenged and who believes that the allegation is not true ~~((;))~~ shall, within twenty days of such mailing ~~((or publication))~~, file a written ~~((protest))~~ response with the county auditor. The county auditor shall immediately ~~((notify))~~ request, by certified mail, the challenger and the challenged voter to appear at a meeting to be held within ten days of the mailing of the request at a place, day, and hour ~~((certain))~~ to be stated in the ~~((notice))~~ request, for determination of the validity of such registration ~~((PROVIDED That should))~~. If the challenged voter ~~((be))~~ is unable to appear in person, he or she may file a reply by means of an affidavit stating ~~((therein))~~ under oath the reasons he or she believes ~~((his))~~ the registration to be valid, and ~~((should))~~ if the challenger ~~((be))~~ is unable to appear in person he or she may file a statement by means of affidavit stating the reasons he or she believes the registration to be invalid.

~~((The hearing shall take place at the time and place designated by the county auditor in the event))~~. If both the challenger and the challenged voter file affidavits instead of appearing in person, an evaluation of ~~((such))~~ the affidavits by the county auditor ~~((shall))~~ constitute a hearing for the purposes of this section.

The county auditor shall hold a hearing at which time both parties shall present their facts and arguments. After reviewing the facts and arguments, the county auditor shall rule as to the validity or invalidity of the challenge. His or her ruling ~~((shall be))~~ is final subject only to a petition for judicial review by the superior court under ~~((the provisions of))~~ chapter 34.04 RCW ~~((as it is now or hereafter amended))~~. If the challenger fails to appear at the meeting or fails to file an affidavit, the registration in question may remain in full effect as determined by the county auditor. If the challenged voter fails to appear at the meeting or fails to file an affidavit, and after reviewing the facts the county auditor finds the challenge valid, then the registration shall be canceled and the voter so notified.

Sec. 6. Section 29.65.010, chapter 9, Laws of 1965 as amended by section 101, chapter 361, Laws of 1977 ex. sess. and RCW 29.65.010 are each amended to read as follows:

Any registered voter may contest the right of any person declared elected to an office to be issued a certificate of election for any of the following causes:

(1) For ~~((malconduct))~~ misconduct on the part of any member of any precinct election board involved therein;

(2) Because the person whose right is being contested was not at the time he was declared elected eligible to that office;

(3) Because the person whose right is being contested was previous to the election convicted of a felony by a court of competent jurisdiction, his conviction not having been reversed nor his civil rights restored after the conviction;

(4) Because the person whose right is being contested gave a bribe or reward to a voter or to an inspector or judge of election for the purpose of procuring his election, or offered to do so;

(5) On account of illegal votes.

(a) Illegal votes include but are not limited to the following:

(i) More than one vote cast by a single voter;

(ii) A vote cast by a person disqualified under Article VI, section 3 of the state Constitution.

(b) Illegal votes do not include votes cast by improperly registered voters who were not properly challenged pursuant to sections 2 and 3 of this act.

All election contests shall proceed under RCW 29.04.030 ~~((as now or hereafter amended))~~.

NEW SECTION. Sec. 7. There is added to chapter 29.81 RCW a new section to read as follows:

(1) No individual, candidate, or political committee may publish or distribute any campaign material that is similar in design or appearance to a voters' pamphlet or candidates' pamphlet published by the secretary of state during the last ten years pursuant to chapter 29.81 or 29.80 RCW.

(2) The secretary of state may recover damages from any individual, candidate, or political committee found by a superior court to have violated the provision of this section. The damages shall not exceed one hundred dollars for each copy of any similar material published or distributed. Any damages recovered under this section shall be transmitted to the state treasurer for deposit in the general fund.

Sec. 8. Section 29.27.060, chapter 9, Laws of 1965 as last amended by section 3, chapter 4, Laws of 1977 and RCW 29.27.060 are each amended to read as follows:

When a proposed constitution or constitutional amendment or other question is to be submitted to the people of the state for state-wide popular vote, the attorney general shall prepare a concise statement posed as a question and not exceeding twenty words containing the essential features thereof expressed in such a manner as to clearly identify the proposition to be voted upon.

Questions to be submitted to the people of a county or municipality shall also be advertised as provided for nominees for office, and in such cases there shall also be printed on the ballot a concise statement posed as a question and not exceeding ~~((twenty words, or))~~ seventy-five words ~~((in the case of a school district tax proposition,))~~ containing the essential features thereof expressed in such a manner as to clearly identify the proposition to be voted upon, which statement shall be prepared by the city attorney for the city, and by the prosecuting attorney for the county or any other political subdivision of the state, other than cities, situated in the county.

~~((Such))~~ The concise statement ~~((shall))~~ constitutes the ballot title. The secretary of state shall certify to the county auditors the ballot title for a proposed constitution, constitutional amendment, or other state-wide question at the same time and in the same manner as the ballot titles to initiatives and referendums.

Sec. 9. Section 29.36.010, chapter 9, Laws of 1965 as last amended by section 76, chapter 361, Laws of 1977 ex. sess. and RCW 29.36.010 are each amended to read as follows:

~~((In addition to those persons authorized under section 19 of this 1977 amendatory act,))~~ 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 three 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 no application for an absentee ballot shall be approved unless the voter's signature upon the application compares favorably with the voter's signature upon his permanent registration record.

Sec. 10. Section 29.36.035, chapter 9, Laws of 1965 and RCW 29.36.035 are each amended to read as follows:

The delivery of an absentee ballot for any primary or election shall be subject to the following qualifications:

(1) Only the voter, himself, or a member of his family may pick up an absentee ballot at the office of the issuing officer: PROVIDED, That this subsection does not apply to voters hospitalized on election day who apply by messenger in accordance with RCW 29.36.010 for an absentee ballot on the day of the primary or election.

(2) Except as noted in subsection (1) above, the issuing officer shall mail the absentee ballot directly to each applicant.

(3) No absentee ballot shall be issued on the day of the primary or election concerned, except as provided by RCW 29.36.010, for a voter confined to a hospital on the day of a primary or election.

NEW SECTION. Sec. 11. The following acts of parts of acts are each repealed:

(1) Section 29.59.010, chapter 9, Laws of 1965, section 1, chapter 225, Laws of 1967 and RCW 29.59.010;

(2) Section 29.59.020, chapter 9, Laws of 1965 and RCW 29.59.020;

(3) Section 29.59.030, chapter 9, Laws of 1965 and RCW 29.59.030;

(4) Section 29.59.040, chapter 9, Laws of 1965, section 29, chapter 109, Laws of 1967 ex. sess. and RCW 29.59.040; and

(5) Section 29.59.060, chapter 9, Laws of 1965 and RCW 29.59.060.

In line 7 of the title, after "29.10 RCW ;" insert "adding a new section to chapter 29.81 RCW; amending section 29.27.060, chapter 9, Laws of 1965 as last amended by section 3, chapter 4, Laws of 1977 and RCW 29.27.060; amending section 29.36.010, chapter 9, Laws of 1965 as last amended by section 76, chapter 361, Laws of 1977 ex. sess. and RCW 29.36.010; amending section 29.36.035, chapter 9, Laws of 1965 and RCW 29.36.035;"



and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Thompson, the Senate did not concur in the House amendments to Substitute Senate Bill No. 3520 and asks the House to recede therefrom.

#### MESSAGE FROM THE HOUSE

April 28, 1983

Mr. President:

The House has passed ENGROSSED SENATE BILL NO. 3858 with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 35.13.180, chapter 7, Laws of 1965 as amended by section 4, chapter 332, Laws of 1981 and RCW 35.13.180 are each amended to read as follows:

City and town councils of second and third class cities and towns may by a majority vote annex new territory outside the city or town limits, whether contiguous or noncontiguous for park, cemetery, or other municipal purposes when ~~((such territory is owned by the city or town))~~ all owners of the real property in the new territory give their written consent to the annexation.

NEW SECTION. Sec. 2. There is added to chapter 35.13 RCW a new section to read as follows:

All unincorporated areas that as of January 1, 1984, lie wholly within the boundaries of any city or town shall be incorporated into, and become part of, the city or town within whose boundaries the unincorporated area lies. Land which is owned by a county and used for the purposes of an agricultural fair under chapter 15.76 or 36.37 RCW or a county park, however, shall not be annexed without the consent of a majority of the members of the legislative authority of the county which owns the land. For purposes of this section, an unincorporated area which is completely bounded by both a state boundary or a body or bodies of navigable water and the particular city or town is considered to lie wholly within the boundaries of a city or town.

NEW SECTION. Sec. 3. There is added to chapter 35.13 RCW a new section to read as follows:

A city or town shall not annex territory under RCW 35.10.211, 35.10.217, 35.13.015, 35.13.020, or 35.13.130 if, after the proposed annexation has occurred, any closed plane figure of unincorporated area could be drawn that includes a portion of the boundary of the newly-annexed area so that eighty percent or more of the figure's perimeter is coterminous with any of the annexing city's or town's boundaries. A city or town may, however, annex territory that lies within a corridor of unincorporated territory which existed before the effective date of this act despite the fact that it creates a closed plane figure prohibited by this section if, after the proposed annexation has occurred, another closed plane figure cannot be drawn within the corridor so that a greater percentage of the perimeter is coterminous with the boundaries of the city or town than the perimeter of the original figure. In addition, a city or town shall not annex unincorporated territory if the annexation would result in an area of unincorporated territory being entirely surrounded by a body or bodies of water and the annexing city or town.

NEW SECTION. Sec. 4. There is added to chapter 35A.14 RCW a new section to read as follows:

All unincorporated areas that as of January 1, 1984, lie wholly within the boundaries of any code city shall be incorporated into, and become part of, the code city within whose boundaries the unincorporated area lies. Land which is owned by a county and used for the purposes of an agricultural fair under chapter 15.76 or 36.37 RCW or a county park, however, shall not be annexed without the consent of a majority of the members of the legislative authority of the county which owns the land. For purposes of this section, an unincorporated area which is completely bounded by both a state boundary or a body or bodies of navigable water and the particular code city is considered to lie wholly within the boundaries of a code city.

NEW SECTION. Sec. 5. There is added to chapter 35A.14 RCW a new section to read as follows:

A code city shall not annex territory under RCW 35A.14.015, 35A.14.020, or 35A.14.120 if, after the proposed annexation has occurred, any closed plane figure of unincorporated area could be drawn that includes a portion of the boundary of the newly-annexed area so that eighty percent or more of the figure's perimeter is coterminous with any of the annexing code city's boundaries. A code city may, however, annex territory that lies within a corridor of unincorporated territory which existed before the effective date of this act despite the fact that it

creates a closed plane figure prohibited by this section if, after the proposed annexation has occurred, another closed plane figure cannot be drawn within the corridor so that a greater percentage of the perimeter is coterminous with the boundaries of the code city than the perimeter of the original figure. In addition, a code city shall not annex unincorporated territory if the annexation would result in an area of unincorporated territory being entirely surrounded by a body or bodies of water and the annexing code city.

**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, beginning on line 2 of the title, after "towns;" strike the remainder of the title and insert "amending section 35.13.180, chapter 7, Laws of 1965 as amended by section 4, chapter 332, Laws of 1981 and RCW 35.13.180; adding new sections to chapter 35.13 RCW; adding new sections to chapter 35A.14 RCW; and declaring an emergency."

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Thompson, the Senate did not concur in the House amendments to Engrossed Senate Bill No. 3858 and asks the House to recede therefrom.

#### MESSAGE FROM THE HOUSE

April 28, 1983

Mr. President:

The House has passed SUBSTITUTE SENATE BILL NO. 4137 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 to relieve the department of corrections from unacceptable burdens of cost related to storage space and manpower in the preservation of inmate personal property if the property has been abandoned by the inmate and to enhance the security and safety of the institutions.

**NEW SECTION.** Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Secretary" means the secretary of the department of corrections or the secretary's designees.

(2) "Personal property" or "property" includes both corporeal and incorporeal personal property and includes among others contraband and money.

(3) "Contraband" means all personal property including, but not limited to, alcoholic beverages and other items which a resident of a correctional institution may not have in the resident's possession, as defined in rules adopted by the secretary.

(4) "Money" means all currency, script, personal checks, money orders, or other negotiable instruments.

(5) "Owner" means the inmate, the inmate's legal representative, or any person claiming through or under the inmate entitled to title and possession of the property.

(6) "Unclaimed" means that no owner of the property has been identified or has requested, in writing, the release of the property to themselves nor has the owner of the property designated an individual to receive the property or paid the required postage to effect delivery of the property.

(7) "Inmate" means a person committed to the custody of the department of corrections or transferred from other states or the federal government.

(8) "Institutions" means those facilities set forth in RCW 72.01.050(2) and all community residential programs under the department's jurisdiction operated pursuant to chapter 72.65 RCW.

(9) "Department" means the department of corrections.

(10) "Illegal items" means those items unlawful to be possessed.

(11) "Nonprofit" has the meaning prescribed by state or federal law or rules.

**NEW SECTION.** Sec. 3. (1) All personal property, and any income or increment which has accrued thereon, held for the owner by an institution that has remained unclaimed for more than six months from the date the owner terminated without authorization from work training release, transferred to a different institution, or when the owner is unknown or deceased, from the date the property was placed in the custody of the institution, is presumed abandoned.

(2) All personal property, and any income or increment which has accrued thereon, the inmate owner of which has been placed on escape status is presumed abandoned and shall be held for three months by the institution from which the inmate escaped. If the inmate owner remains on escape status for three months or if no other person claims ownership within three months, the property shall be disposed of as set forth in this chapter.

(3) All illegal items owned by and in the possession of an inmate shall be confiscated and held by the institution to which the inmate is assigned. Such items shall be held as required for evidence for law enforcement authorities. Illegal items not retained for evidence shall be destroyed.

NEW SECTION. Sec. 4. (1) All personal property, other than money, presumed abandoned shall be destroyed unless, in the opinion of the secretary, the property may be used or has value to a charitable or nonprofit organization, in which case the property may be donated to the organization. A charitable or nonprofit organization does not have a claim nor shall the department or any employee thereof be held liable to any charitable or nonprofit organization for property which is destroyed rather than donated or for the donation of property to another charitable or nonprofit organization.

(2) Money presumed abandoned under this chapter shall be paid into the revolving fund set up in accordance with RCW 9.95.360.

(3) The department shall inventory all personal property prior to its destruction or donation.

(4) Before personal property is donated or destroyed, if the name and address of the owner thereof is known or if deceased, the address of the heirs as known, at least thirty days' notice of the donation or destruction of the personal property shall be given to the owner at the owner's residence or place of business or to some person of suitable age and discretion residing or employed therein. If the name or residence of the owner or the owner's heirs is not known, a notice of the action fixing the time and place thereof shall be published at least once in an official newspaper in the county at least thirty days prior to the date fixed for the action. The notice shall be signed by the secretary. The notice need not contain a description of property, but shall contain a general statement that the property is unclaimed personal property of inmates, specifying the institution at which the property is held. If the owner fails to reclaim the property prior to the time fixed in the notice, the property shall be donated or destroyed.

NEW SECTION. Sec. 5. This chapter does not apply if the inmate and the department have reached an agreement in writing regarding the disposition of the personal property.

NEW SECTION. Sec. 6. (1) The uniform disposition of unclaimed property act, chapter 63.28 RCW, does not apply to personal property in the possession of the department of corrections.

(2) Chapter 63.24 RCW, unclaimed property in hands of bailee, does not apply to personal property in the possession of the department of corrections.

Sec. 7. Section 2, chapter 40, Laws of 1972 ex. sess. as last amended by section 102, chapter 136, Laws of 1981 and RCW 72.60.102 are each amended to read as follows:

~~From and after July 1, 1973, any inmate employed in ((institutional industries shall be eligible for the benefits provided by Title 51 RCW, as now or hereafter amended, relating to industrial insurance, with the exceptions herein provided:~~

~~No inmate as herein described, until released upon an order of parole by the state board of prison terms and paroles, or discharged from custody upon expiration of sentence, or discharged from custody by order of a court of appropriate jurisdiction, or his dependents or beneficiaries, shall be entitled to any payment for temporary disability or permanent total disability as provided for in RCW 51.32.090 or 51.32.060 respectively, as now or hereafter enacted. Any inmate who is either not paid any wages or paid a gratuity shall not be considered employed under this section)) classes I, II, and IV of institutional industries as defined in RCW 72.09.100 is eligible for industrial insurance benefits as provided by Title 51 RCW. However, eligibility for benefits for either the inmate or his dependents or beneficiaries for temporary disability or permanent total disability as provided in RCW 51.32.090 or 51.32.060, respectively, shall not take effect until the inmate is released pursuant to an order of parole by the board of prison terms and paroles, or discharged from custody upon expiration of the sentence, or discharged from custody by order of a court of appropriate jurisdiction. Nothing in this section shall be construed to confer eligibility for any industrial insurance benefits to any inmate who is employed in class III or V of institutional industries as defined in RCW 72.09.100.~~

NEW SECTION. Sec. 8. Sections 1 through 6 of this act shall constitute a new chapter in Title 63 RCW.

NEW SECTION. Sec. 9. There is added to chapter 72.09 RCW a new section to read as follows:

The secretary of corrections may permit a medium security inmate to participate in a supervised community work program under this chapter if the inmate is under the immediate supervision of an employee of the department of corrections and if the work program does not involve overnight stays outside of the institution where the inmate is incarcerated. The requisite immediate supervision shall be prescribed by the department by rule.

Sec. 10. Section 72.64.060, chapter 28, Laws of 1959 as last amended by section 269, chapter 141, Laws of 1979 and RCW 72.64.060 are each amended to read as follows:

Any department, division, bureau, commission, or other agency of the state of Washington or any agency of any political subdivision thereof or the federal government may use, or cause to be used, prisoners confined in state penal or correctional institutions to perform work necessary and proper, to be done by them at camps to be established pursuant to the authority granted by RCW 72.64.060 through 72.64.090 or in supervised community work programs

authorized in section 9 of this 1983 act: PROVIDED, That such prisoners shall not be authorized to perform work on any public road, other than access roads to forestry lands unless they are under the immediate supervision of a department of corrections employee. The secretary may enter into contracts for the purposes of RCW 72.64.060 through 72.64.090 or the purposes of section 9 of this 1983 act.

NEW SECTION. Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

On page 1, line 1 of the title, after "corrections;" strike the remainder of the title and insert "amending section 2, chapter 40, Laws of 1972 ex. sess. as last amended by section 102, chapter 136, Laws of 1981 and RCW 72.60.102; amending section 72.64.060, chapter 28, Laws of 1959 as last amended by section 269, chapter 141, Laws of 1979 and RCW 72.64.060; adding a new section to chapter 72.09 RCW; and adding a new chapter to Title 63 RCW."

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Granlund, the Senate concurred in the House amendments to Substitute Senate Bill No. 4137, with the exception of Sections 9 and 10, and asks the House to recede therefrom.

There being no objection, the President Pro Tempore advanced the Senate to the seventh order of business.

#### THIRD READING

ENGROSSED HOUSE BILL NO. 74, by Representatives Moon, Van Dyken and Egger

Raising limits on local government contracts that may benefit local officers.

#### MOTIONS

On motion of Senator Thompson, the rules were suspended and Engrossed House Bill No. 74 was returned to second reading and read the second time.

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

On page 2, line 15, after "city," insert "or a member of any county fair board in a county which has not established a county purchasing department pursuant to RCW 36.32.240."

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

On page 2, line 18, after "year" strike all material down to and including "labor" on line 23.

On motion of Senator Thompson, the following amendment by Senators Thompson, Zimmerman, Patterson and McCaslin was adopted:

On page 2, line 18, after "year" insert "; PROVIDED FURTHER, That there be public disclosure by having an available list at the city treasurer's office of such purchases or contracts, and if the supplier or contractor is an official or employee of the municipality, he or she shall not vote on the authorization"

On motion of Senator Thompson, the rules were suspended, Engrossed House Bill No. 74 as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed House Bill No. 74, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed House Bill No. 74 as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 35; nays, 03; absent, 02; excused, 09.

Voting yea: Senators Bauer, Bender, Bluechel, Böttiger, Clarke, Conner, Fleming, Fuller, Goitz, Granlund, Guess, Haley, Hemstad, Jones, Kiskaddon, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Zimmerman - 35.

Voting nay: Senators Craswell, Gaspard, Pullen - 3.

Absent: Senators McDermott, Woody - 2.

Excused: Senators Barr, Benitz, Deccio, Hansen, Hayner, Hughes, Hurley, Lee, McCaslin - 9.

ENGROSSED HOUSE BILL NO. 74, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Senator Shinpoch, Engrossed Second Substitute House Bill No. 231 was moved down on the second reading calendar.

## THIRD READING

HOUSE BILL NO. 420, by Representatives Niemi, J. Williams and Belcher (by Cemetery Board request)

Changing the calculation of fees for the issuance of certification of authority by the cemetery board.

## MOTIONS

On motion of Senator Vognild, the rules were suspended and House Bill No. 420 was returned to second reading and read the second time.

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

On page 1, after line 21, insert the following:

"Sec. 2. Section 5, chapter 99, Laws of 1969 ex. sess. as last amended by section 11, chapter 21, Laws of 1979 and RCW 68.05.255 are each amended to read as follows:

Prior to the sale or transfer of ownership or control of any cemetery authority, any person, corporation or other legal entity desiring to acquire such ownership or control shall apply in writing for a new certificate of authority to operate a cemetery and shall comply with all provisions of Title 68 RCW relating to applications for, and the basis for granting, an original certificate of authority. The board shall, in addition, enter any order deemed necessary for the protection of all endowment care funds and/or prearrangement trust fund during such transfer. As a condition of applying for a new certificate of authority, the entity desiring to acquire such ownership or control must agree to be bound by all then existing prearrangement contracts and the board shall enter that agreement as a condition of the transfer: PROVIDED, That if the board determines that it is in the public interest it may waive or condition the entity's assumption of those preexisting prearrangement contracts entered into prior to June 7, 1979, which are for cemetery merchandise or services when the entity seeking the certificate of authority obtains ownership from a federal or state chartered bank, savings and loan association, or credit union which acquired ownership or control of a cemetery through foreclosure of a first lien mortgage or deed of trust pursuant to chapter 61.12 or 61.24 RCW: PROVIDED FURTHER, That a waiver shall not be granted if the bank, savings and loan association, or credit union was a party to or participated in the operation or control of the cemetery authority which incurred those obligations.

Persons and business entities selling and persons and business entities purchasing ownership or control of a cemetery authority shall each file an endowment care fund report and/or a prearrangement trust fund report showing the status of such funds immediately before and immediately after such transfer on a written report form prescribed by the board. Failure to comply with this section shall be a gross misdemeanor and any sale or transfer in violation of this section shall be void.

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."

## MOTIONS

On motion of Senator Vognild, the following title amendment was adopted:

On page 1, line 1 of the title, after "board;" insert "amending section 5, chapter 99, Laws of 1969 ex. sess. as last amended by section 11, chapter 21, Laws of 1979 and RCW 68.05.255."

On motion of Senators Vognild, the rules were suspended, House Bill No. 420, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of House Bill No. 420 as amended by the Senate.

## ROLL CALL

The Secretary called the roll on final passage of House Bill No. 420, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 38; nays, 00; absent, 02; excused, 09.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Jones, Kiskaddon, McManus, Metcalfe, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 38.

Absent: Senators Hemstad, McDermott - 2.

Excused: Senators Barr, Benitz, Deccio, Hansen, Hayner, Hughes, Hurley, Lee, McCaslin - 9.

HOUSE BILL NO. 420 as amended by the Senate, having received the constitutional majority, as declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### THIRD READING

ENGROSSED HOUSE BILL NO. 428, by Representatives Armstrong, West, Dellwo, Wang and Niemi

Modifying certain court procedures.

### MOTIONS

On motion of Senator Talmadge, the rules were suspended and Engrossed House Bill No. 428 was returned to second reading and read the second time.

Senator Rasmussen moved that the following amendment be adopted:

On page 1, after line 26, insert the following:

"Sec. 2. Section 24, chapter 64, Laws of 1895 as last amended by section 10, chapter 329, Laws of 1981 and RCW 6.12.050 are each amended to read as follows:

Homesteads may consist of lands and tenements with the improvements thereon, as defined in RCW 6.12.010, regardless of area but not exceeding in net value, of both the lands and improvements, the sum of ~~((twenty))~~ thirty thousand dollars. The premises thus included in the homestead must be actually intended or used as a home for the owner, and shall not be devoted exclusively to any other purpose."

Re-number the remaining sections consecutively.

Debate ensued.

### POINT OF ORDER

Senator Clarke: "Mr. President, a point of order. I concur in the remarks and, also, raise the question as to whether or not the amendment doesn't expand the scope and object of the bill."

Further debate ensued.

There being no objection, further consideration of the amendment on page 1, after line 26, by Senator Rasmussen was deferred.

### MOTION

Senator Talmadge moved that the following amendment be adopted:

On page 3, after line 5, insert the following:

"Sec. 4. Section 1, chapter 60, Laws of 1929 as last amended by section 3, chapter 105, Laws of 1980 and RCW 4.56.190 are each amended to read as follows:

The real estate of any judgment debtor, and such as he may acquire, not exempt by law, shall be held and bound to satisfy any judgment of the district court of the United States rendered in this state, any judgment of the supreme court, court of appeals, or superior court of this state, and any judgment of any justice of the peace rendered in this state, and every such judgment shall be a lien thereupon to commence as hereinafter provided and to run for a period of not to exceed ten years from the day on which such judgment was rendered. As used in this chapter, real estate shall not include the vendor's interest under a real estate contract for judgments rendered after the effective date of this 1983 act. Personal property of the judgment debtor shall be held only from the time it is actually levied upon.

Sec. 5. Section 1, chapter 133, Laws of 1893 as last amended by section 5, chapter 105, Laws of 1980 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.

Sec. 6. Section 367, page 201, Laws of 1854 as last amended by section 505, Code of 1881 and RCW 4.84.010 are each amended to read as follows:

The measure and mode of compensation of attorneys and counselors, shall be left to the agreement, expressed or implied, of the parties, but there shall be allowed to the prevailing party upon the judgment certain sums by way of indemnity for ~~((his))~~ the prevailing party's expenses in the action, which allowances are termed costs, including, in addition to costs otherwise authorized by law, the following expenses:

- (1) Filing fees;
- (2) Fees for the service of process;
- (3) Fees for service by publication;
- (4) Notary fees;
- (5) Reasonable expenses, exclusive of attorneys' fees, incurred in obtaining reports and records, which are admitted into evidence at trial in superior or district court, including but not limited to medical records, tax records, personnel records, insurance reports, employment and wage records, police reports, school records, bank records, and legal files;
- (6) Statutory attorney and witness fees; and
- (7) To the extent that the court finds that it was necessary to achieve the successful result, the reasonable expense of the transcription of depositions used at trial: PROVIDED, That the expenses of depositions shall be allowed on a pro rata basis for those portions of the depositions introduced into evidence or used for purposes of impeachment.

Sec. 7. Section 253, page 178, Laws of 1854 as last amended by section 1, chapter 65, Laws of 1979 ex. sess. and RCW 6.16.020 are each amended to read as follows:

The following personal property shall be exempt from execution and attachment, except as hereinafter specially provided:

- (1) All wearing apparel of every person and family, but not to exceed ~~((five hundred))~~ one thousand dollars in value in furs, jewelry, and personal ornaments for any person.
- (2) All private libraries not to exceed ~~((five hundred))~~ one thousand dollars in value, and all family pictures and keepsakes.
- (3) To each person or family~~(:):~~:
  - (a) The person's or family's household goods, appliances, furniture and home and yard equipment, not to exceed ~~((one))~~ two thousand dollars in value;
  - (b) Provisions and fuel for the comfortable maintenance of such person or family for three months; and
  - (c) Other property not to exceed ~~((four))~~ five hundred dollars in value, of which not more than one hundred dollars in value may consist of cash, bank accounts, savings and loan accounts, stocks, bonds, or other securities.
- (4) To any person or family, one motor vehicle which is used for personal transportation, not to exceed ~~((seven hundred and fifty))~~ one thousand five hundred dollars in value.
- (5) To a farmer, farm trucks, farm stock, farm tools, farm equipment, supplies and seed, not to exceed ~~((one))~~ four thousand five hundred dollars in value.
- (6) To a physician, surgeon, attorney, clergyman, or other professional person, the person's library, office furniture, office equipment and supplies, not to exceed ~~((one))~~ four thousand five hundred dollars in value.
- (7) To any other person, the tools and instruments and materials used to carry on his or her trade for the support of himself or herself or family, not to exceed ~~((one))~~ four thousand five hundred dollars in value.

The property referred to in the foregoing subsection (3) shall be selected by any adult member of the family on behalf of the family or the person, if present, and in case no adult member of the family or person is present to make the selection, then the sheriff or the director of public safety shall make a selection equal in value to the applicable exemptions above described and he shall return the same as exempt by inventory. Any selection made as above provided shall be prima facie evidence (a) that the property so selected is exempt from execution and attachment, and (b) that the property so selected is not in excess of the values specified for the exemptions. Except as above provided, the exempt property shall be selected by the person claiming the exemption. No person shall be entitled to more than one exemption under the provisions of the foregoing subsections (5), (6) and (7).

For purposes of this section "value" shall mean the reasonable market value of the article or item at the time of its selection, and shall be of the debtor's interest therein, exclusive of all liens and encumbrances thereon.

Wages, salary, or other compensation regularly paid for personal services rendered by the person claiming the exemption may not be claimed as exempt under the foregoing provisions, but the same may be claimed as exempt in any bankruptcy or insolvency proceeding to the same extent as allowed under the statutes relating to garnishments.

No property shall be exempt under this section from an execution issued upon a judgment for all or any part of the purchase price thereof, or for any tax levied upon such property."

Renumber the remaining sections consecutively.

Debate ensued.

## MOTION

On motion of Senator Clarke, and there being no objection, the point of order raised on the Rasmussen amendment was withdrawn.

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

The motion by Senator Talmadge carried and the amendment was adopted.

There being no objection, the Senate resumed consideration of the amendment by Senator Rasmussen on page 1, after line 26.

Debate ensued.

Senator Rasmussen demanded a roll call and the demand was sustained.

## MOTION

On motion of Senator Vognild, Senator Peterson was excused.

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

## ROLL CALL

The Secretary called the roll and the motion by Senator Rasmussen carried and the amendment was adopted by the following vote: Yeas, 20; nays, 19; absent, 00; excused, 10.

Voting yea: Senators Bottiger, Conner, Craswell, Fleming, Guess, Haley, Kiskaddon, McDermott, McManus, Metcalf, Patterson, Pullen, Rasmussen, Sellar, Shinpoch, von Reichbauer, Warnke, Williams, Wojahn, Woody - 20.

Voting nay: Senators Bauer, Bender, Bluechel, Clarke, Fuller, Gaspard, Goltz, Granlund, Hemstad, Jones, Moore, Newhouse, Owen, Quigg, Rinehart, Talmadge, Thompson, Vognild, Zimmerman - 19.

Excused: Senators Barr, Benitz, Deccio, Hansen, Hayner, Hughes, Hurley, Lee, McCaslin, Peterson - 10.

## MOTION

On motion of Senator Talmadge, the following title amendments were considered and adopted simultaneously:

On page 1, line 2 of the title, after "6.04.050;" insert "amending section 24, chapter 64, Laws of 1895 as last amended by section 10, chapter 329, Laws of 1981 and RCW 6.12.050;"

On page 1, line 5 of the title, after "26.09.120," insert "amending section 1, chapter 60, Laws of 1929 as last amended by section 3, chapter 105, Laws of 1980 and RCW 4.56.190; amending section 1, chapter 133, Laws of 1893 as last amended by section 5, chapter 105, Laws of 1980 and RCW 6.32.010; amending section 367, page 201, Laws of 1854 as last amended by section 505, Code of 1881 and RCW 4.84.010; amending section 253, page 178, Laws of 1854 as last amended by section 1, chapter 65, Laws of 1979 ex. sess. and RCW 6.16.020;"

On motion of Senator Talmadge, the rules were suspended, Engrossed House Bill No. 428, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed House Bill No. 428, as amended by the Senate.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed House Bill No. 428, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 38; nays, 01; absent, 00; excused, 10.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hemstad, Jones, Kiskaddon, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 38.

Voting nay: Senator Pullen - 1.

Excused: Senators Barr, Benitz, Deccio, Hansen, Hayner, Hughes, Hurley, Lee, McCaslin, Peterson - 10.

ENGROSSED HOUSE BILL NO. 428, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



## THIRD READING

SENATE BILL NO. 3045, by Senators Hansen, Rasmussen, Woody and Barr

Removing the requirement for a warm water fish stamp.

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

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Senate Bill No. 3045.

## ROLL CALL

The Secretary called the roll on final passage of Senate Bill No. 3045, and the bill passed the Senate by the following vote: Yeas, 39; nays, 00; absent, 00; excused, 10.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hemstad, Jones, Kiskaddon, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 39.

Excused: Senators Barr, Benitz, Deccio, Hansen, Hayner, Hughes, Hurley, Lee, McCaslin, Peterson - 10.

SENATE BILL NO. 3045, having received the 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

SUBSTITUTE SENATE BILL NO. 3158, by Committee on Judiciary (originally sponsored by Senators Talmadge, Clarke and Woody) (by Department of Licensing request)

Modifying the trade name regulation laws.

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

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 3158.

## ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 3158, and the bill passed the Senate by the following vote: Yeas, 39; nays, 00; absent, 00; excused, 10.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hemstad, Jones, Kiskaddon, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 39.

Excused: Senators Barr, Benitz, Deccio, Hansen, Hayner, Hughes, Hurley, Lee, McCaslin, Peterson - 10.

SUBSTITUTE SENATE BILL NO. 3158, having received the 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

SUBSTITUTE SENATE BILL NO. 3181, by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad, Hughes and Pullen)

Modifying provisions relating to involuntary treatment.

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

Debate ensued.

## POINT OF INQUIRY

Senator Rasmussen: "Senator Talmadge, this mental health person makes a declaration and he goes to the Superior Court to get his warrant from the Superior Court. Who is there to defend the alleged mental health person who needs mental health treatment?"

Senator Talmadge: "Usually a public attorney, a public defender."

Senator Rasmussen: "Usually? Is there any requirement that they be there?"

Senator Talmadge: "Well, this has a substantial impact on one's liberty. A public defender is appointed. It's my understanding that they are, Senator."

Senator Rasmussen: "There is no possibility then of this mental health official—we have a lot of people that are in the mental health game—some are competent and some are not, but there is no absolute rule that says that somebody has to appear for the defendant?"

Senator Talmadge: "Under the present law, Senator, in fact, the county designated mental health professional can just issue the summons and cause somebody to be taken to Western State or to Harborview without any review by the court."

Senator Rasmussen: "That was ruled out wasn't it by the courts?"

Senator Talmadge: "That was ruled out by the court and this process provides for court review and my understanding, at least, and I don't practice in this area, so I don't know for a fact, but my understanding is that public defenders are appointed for those people who are subject to this process."

Further debate ensued.

#### POINT OF ORDER

Senator Haley: "Mr. President, I wish to raise a point of order of this bill being properly before us."

Debate ensued.

#### RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Goltz: "The President believes that the remarks of Senator Pullen and Senator Bottiger and Senator Talmadge clearly bring this bill within the budget requirement of the House Concurrent Resolution No. 23 and, therefore, is properly before us."

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 3181.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 3181, and the bill passed the Senate by the following vote: Yeas, 39; nays, 00; absent, 00; excused, 10.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hemstad, Jones, Kiskaddon, McDermott, McManus, Melcalf, Moore, Newhouse, Owen, Patterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 39.

Excused: Senators Barr, Benitz, Deccio, Hansen, Hayner, Hughes, Hurley, Lee, McCaslin, Peterson - 10.

SUBSTITUTE SENATE BILL NO. 3181, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 2:57 p.m., on motion of Senator Shinpoch, the Senate adjourned until 10:00 a.m., Monday, May 2, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

## EIGHTH DAY

---

### MORNING SESSION

---

Senate Chamber, Olympia, Monday, May 2, 1983

The Senate was called to order at 10:00 a.m. by President Pro Tempore Goltz. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senators Lee, Quigg, Rasmussen and Wojahn.

The Sergeant at Arms Color Guard, consisting of Pages Heidi Smith and Carrie Kelly, presented the Colors. Reverend Ron Sims of the Mt. Zion Baptist Church in Seattle and aide to Senator George Fleming, offered the prayer.

#### MOTION

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

#### REPORTS OF STANDING COMMITTEES

April 29, 1983

SB 3044 Prime Sponsor, Senator Gaspard: Exempting military personnel and their spouses and dependent children from nonresident tuition and fee differentials. Reported by Committee on Ways and Means

MAJORITY recommendation: Do pass. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman; Bottiger, Craswell, Fleming, Metcalf, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Woody.

Passed to Committee on Rules for second reading.

April 29, 1983

SSB 3187 Prime Sponsor, Senator Bottiger: Imposing an excise tax on the severance of minerals. Reported by Committee on Ways and Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 3187 be substituted therefor, and that the second substitute bill do pass. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman; Bottiger, Fleming, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Wojahn, Woody.

MINORITY recommendation: Do not pass. Signed by Senator Pullen.

Passed to Committee on Rules for second reading.

April 29, 1983

SB 3488 Prime Sponsor, Senator Rinehart: Removing the extra charge for students registered for more than eighteen credit hours. Reported by Committee on Ways and Means

MAJORITY recommendation: Do pass. Signed by Senators McDermott, Chairman; Bottiger, Fleming, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Wojahn, Woody.

Passed to Committee on Rules for second reading.

April 29, 1983

SB 4059 Prime Sponsor, Senator McDermott: Relating to the central stores revolving fund. Reported by Committee on Ways and Means

MAJORITY recommendation: That Substitute Senate Bill No. 4059 be substituted therefor, and the substitute bill do pass. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman; Bottiger, Fleming, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Wojahn, Woody.

Passed to Committee on Rules for second reading.

April 29, 1983

SB 4063 Prime Sponsor, Senator McDermott: Relating to the use of revolving funds. Reported by Committee on Ways and Means

MAJORITY recommendation: That Substitute Senate Bill No. 4063 be substituted therefor, and the substitute bill do pass. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman; Bottiger, Fleming, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Wojahn, Woody.

Passed to Committee on Rules for second reading.

April 29, 1983

ESHB 127 Prime Sponsor, Representative Kreidler: Modifying the manner by which travel reimbursement rates for state employees are set. Reported by Committee on Ways and Means

MAJORITY recommendation: Do pass as amended. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman; Bluechel, Bottiger, Fleming, Pullen, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Wojahn, Woody.

Passed to Committee on Rules for second reading.

April 29, 1983

2SHB 295 Prime Sponsor, Representative Belcher: Requiring state employees to be paid twice a month. Reported by Committee on Ways and Means

MAJORITY recommendation: Do pass as amended. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman; Bottiger, Fleming, Pullen, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Wojahn.

Passed to Committee on Rules for second reading.

April 29, 1983

SHB 470 Prime Sponsor, Representative Grimm: Altering provisions relating to state funds. Reported by Committee on Ways and Means

MAJORITY recommendation: Do pass as amended. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman; Bluechel, Bottiger, Craswell, Fleming, Metcalf, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Wojahn, Woody, Zimmerman.

Passed to Committee on Rules for second reading.

April 29, 1983

HB 471 Prime Sponsor, Representative Grimm: Modifying provisions relating to the judiciary education account. Reported by Committee on Ways and Means

MAJORITY recommendation: Do pass. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman; Bottiger, Craswell, Metcalf, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Wojahn, Woody.

Passed to Committee on Rules for second reading.

April 29, 1983

ESHB 496 Prime Sponsor, Representative Ristuben: Modifying provisions on senior citizen tax relief. Reported by Committee on Ways and Means

MAJORITY recommendation: Do pass. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman; Bottiger, Fleming, Pullen, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Wojahn, Woody.

Passed to Committee on Rules for second reading.

April 29, 1983

HB 725 Prime Sponsor, Representative Grimm: Appropriating funds for the publication of the session laws. Reported by Committee on Ways and Means

MAJORITY recommendation: Do pass. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman; Craswell, Metcalf, Pullen, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Wojahn, Woody.

Passed to Committee on Rules for second reading.

MESSAGE FROM THE GOVERNOR

April 29, 1983

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON  
Ladies and Gentlemen:

I have the honor to advise you that on April 29, 1983, Governor Spellman approved the following Senate Bill entitled:

Substitute Senate Bill No. 3299  
Relating to personal property leasing.

Sincerely,

MARILYN SHOWALTER, Counsel to the Governor

MESSAGE FROM THE HOUSE

April 29, 1983

Mr. President:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 181,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 213,

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 352,

SUBSTITUTE HOUSE BILL NO. 1050,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1051, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

INTRODUCTION AND FIRST READING OF HOUSE BILLS

ESHB 181 by Committee on Natural Resources (originally sponsored by Representatives Stratton, B. Williams, Isaacson, Sanders, Martinis, McClure, McDonald and Mitchell)

Modifying provisions regarding public lands.

Hold.

ESHB 213 by Committee on Commerce and Economic Development (originally sponsored by Representatives Halsan, B. Williams, Tanner, Todd, Holland, Kreidler, Ebersole, Haugen, Fisher, Ristuben, Ellis, Belcher, Sayan, Vekich, Powers, Fisch, Hine, Dellwo, Garrett, Lewis, Johnson, Crane and Stratton)

Establishing the community development finance corporation.

Referred to Committee on Ways and Means.

E2SHB 352 by Committee on Ways and Means (originally sponsored by Representatives Kreidler, Lewis and Dellwo) (originally sponsored by Department of Social and Health Services request)

Modifying provisions relating to public assistance.

Referred to Committee on Ways and Means.

SHB 1050 by Committee on Commerce and Economic Development (originally sponsored by Representative J. King)

Specifying terms of property leasebacks by state and local agencies.

Referred to Committee on Commerce and Labor.

ESHB 1051 by Committee on Commerce and Economic Development (originally sponsored by Representative J. King)

Establishing the Washington job training and partnership act.

Referred to Committee on Commerce and Labor.

## MOTION

On motion of Senator Shinpoch, the rules were suspended and Engrossed Substitute House Bill No. 181 was advanced to second reading and placed on the second reading calendar.

## MOTION

On motion of Senator Shinpoch, the Senate advanced to the seventh order of business.

## THIRD READING

SUBSTITUTE SENATE JOINT MEMORIAL NO. 112, by Senate Committee on Commerce and Labor (originally sponsored by Senators Quigg, McManus, Bluechel, Barr, Sellar, Fuller, Metcalf, Hemstad, Bottiger and Moore)

Requesting the mutual bilateral elimination of trade barriers with China.

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

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Substitute Senate Joint Memorial No. 112.

## ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Joint Memorial No. 112, and the memorial passed the Senate by the following vote: Yeas, 44; nays, 1; absent, 3; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Woody, Zimmerman - 44.

Voting nay: Senator Pullen - 1.

Absent: Senators Lee, Quigg, Rasmussen - 3.

Excused: Senator Wojahn - 1.

SUBSTITUTE SENATE JOINT MEMORIAL NO. 112, having received the constitutional majority, was declared passed.

## MOTION

On motion of Senator Bluechel, Senator Lee was excused.

## THIRD READING

SUBSTITUTE SENATE BILL NO. 3864, by Senate Committee on Agriculture (originally sponsored by Senator Hansen)

Authorizing increased assessments on soft fruits.

## MOTION

Senator Hansen moved that the rules be suspended and that Substitute Senate Bill No. 3864 be returned to second reading.

Debate ensued.

## MOTION

On motion of Senator Bottiger, further consideration of Substitute Senate Bill No. 3864 was deferred.

## MOTIONS

On motion of Senator Shinpoch, the Senate advanced to the eighth order of business.

On motion of Senator Shinpoch, the Committee on Rules was relieved of further consideration of Substitute House Bill No. 470, House Bill No. 471, House Bill No. 725, Engrossed Substitute House Bill No. 496, Senate Bill No. 4059 and Senate Bill No. 4063.

On motion of Senator Shinpoch, Substitute House Bill No. 470, House Bill No. 471, Engrossed Substitute House Bill No. 496, House Bill No. 725, Senate Bill No. 4059 and Senate Bill No. 4063 were advanced to second reading and placed on the second reading calendar.

## MOTION

At 10:30 a.m., on motion of Senator Shinpoch, the Senate recessed until 11:30 a.m.

## SECOND MORNING SESSION

The Senate was called to order at 11:30 a.m. by President Pro Tempore Goltz.

## MOTION FOR RECONSIDERATION

Having served prior notice, Senator Bottiger moved that the Senate now reconsider the vote by which Engrossed Substitute Senate Joint Resolution No. 120 failed to pass the Senate April 28, 1983.

Debate ensued.

Senator Clarke demanded a roll call and the demand was sustained.

The President Pro Tempore declared the question before the Senate to be the roll call on the motion by Senator Bottiger to reconsider the vote by which Engrossed Substitute Senate Joint Resolution No. 120 failed to pass the Senate.

## ROLL CALL

The Secretary called the roll and the motion by Senator Bottiger for reconsideration carried by the following vote: Yeas, 32; nays, 17.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Haley, Hansen, Hemstad, Hughes, Hurley, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Owen, Patterson, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 32.

Voting nay: Senators Barr, Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Guess, Hayner, Jones, McCaslin, Newhouse, Pullen, Quigg, Rasmussen, Sellar, von Reichbauer - 17.

## MOTION

On motion of Senator Bottiger, further consideration of Engrossed Substitute Senate Joint Resolution No. 120, on reconsideration, was deferred and the bill held its place on the third reading calendar.

There being no objection, the President Pro Tempore reverted the Senate to the sixth order of business.

## SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 231, by Senate Committee on Ways and Means (originally sponsored by Representatives Hine, McDonald, Prince, J. King, Allen, Wang, Pruitt, Sayan, O'Brien, Appelwick, Sutherland, Todd, Burns, Ellis, Silver, Isaacson, Dellwo, Tanner, Brekke, Holland, Powers and Garrett)

Establishing a job skill program.

The bill was read the second time.

## MOTION

On motion of Senator McDermott, the following Committee on Ways and Means amendment was adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature declares that it is an important function of government to increase opportunities for gainful employment, to assist in promoting a productive and expanding economy, and to encourage the flow of business and industry support to educational institutions. Therefore, the legislature finds that it is in the public interest of the state to encourage and facilitate the formation of cooperative relationships between business and industry and educational institutions which provide for the development and significant expansion of programs of skills training and education consistent with employment needs and to make interested individuals aware of the employment opportunities presented thereby. It is the policy of the state of Washington to ensure that programs of skill training are available on a regional basis and are utilized by a variety of businesses and industries.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 28C.04.040 and sections 4 through 10 of this act.

(1) "Applicant" means an educational institution which has made application for a job skills grant under sections 4 through 10 of this act.

(2) "Business and industry" means a private corporation, institution, firm, person, group, or association concerned with commerce, trades, manufacturing, or the provision of services

within the state, or a public or nonprofit hospital licensed by the department of social and health services.

(3) "Educational institution" means a public secondary or post secondary institution or an independent institution within the state authorized by law to provide a program of skills training or education beyond the secondary school level. Any educational institution receiving a job skills grant under sections 4 through 10 of this 1983 act shall be free of sectarian control or influence as set forth in Article IX, section 4 of the state Constitution.

(4) "Equipment" means tangible personal property which will further the objectives Ristuben, Grimm, Miller, Egger, Struthers, Powers, Fiske, Halsan, Brough, Charnley, Nealey, Long, Vander Stoep, Ebersole, Schmidt, Garrett, Betzozoff, R. King, Allen, Dellwo, Ballard, Heck, Jacobsen, Schoon, Martinis, Fuhrman, Taylor, Van Dyken, Waik, Pruitt, Barrett, Zellinsky, Johnson, Kaiser, J. Williams, Toddy, Mitchell, Fisch, Patrick, Fisher, Tilly, Crane, Addison, D. Nelson, Tanner, Wang, McClure, Gallagher, Hine, Kreidler, Burns, Stratton, Appelwick, Niemi, Locke, Isaacson, Silver, Vekich, McMullen, Braddock, Rust, Brekke, B. Williams, Belcher, Holland, Moon, Wilson, Sutherland, O'Brien, Lewis and Armstrong) of the supported program and for which a definite value and evidence in support of the value have been provided by the donor.

(5) "Financial support" means any thing of value which is contributed by business and industry to an educational institution which is reasonably calculated to support directly the development and expansion of a particular program under sections 4 through 10 of this act and represents an addition to any financial support previously or customarily provided to such educational institutions by the donor. "Financial support" includes, but is not limited to, funds, equipment, facilities, faculty, and scholarships for matriculating students and trainees.

(6) "Job skills grant" means funding that is provided to an educational institution by the commission for the development or significant expansion of a program under sections 4 through 10 of this act.

(7) "Job skills program" means a program of skills training or education separate from and in addition to existing vocational education programs and which:

(a) Provides short-term training which has been designated for specific industries;

(b) Provides training for prospective employees before a new plant opens or when existing industry expands;

(c) Includes training and retraining for workers already employed by an existing industry or business where necessary to avoid dislocation or where upgrading of existing employees would create new vacancies for unemployed persons;

(d) Serves areas with high concentrations of economically disadvantaged persons and high unemployment;

(e) Serves areas with new and growing industries;

(f) Serves areas where there is a shortage of skilled labor to meet job demands; or

(g) Promotes the location of new industry in areas affected by economic dislocation.

(8) "Technical assistance" means professional and any other assistance provided by business and industry to an educational institution, which is reasonably calculated to support directly the development and expansion of a particular program and which represents an addition to any technical assistance previously or customarily provided to the educational institutions by the donor.

(9) "Commission" or "commission for vocational education" shall mean the commission for vocational education or any successor agency or organization.

Sec. 3, Section 4, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.040 are each amended to read as follows:

The commission for vocational education shall have the following functions:

(1) Plan development. The commission shall be responsible for complying with federal directives to insure the development and maintenance of a state plan for vocational education but initial planning shall be accomplished by the secondary and postsecondary education systems. Prior to the adoption of the state plan, the commission shall request comments from the council on higher education and the advisory council for vocational education.

(2) State plan modification adjudication. Decisions on new programs and/or facilities for vocational education shall be made internally within the respective secondary or postsecondary education system in accordance with the provisions of the state plan. The commission may review such decisions to insure compliance with the state plan and avoid unnecessary duplication of current or projected programs.

Any common school or community college district, or the superintendent of public instruction, or the state board for community college education, or other interested parties as authorized by the commission, shall be afforded the opportunity to comment upon any new programs or facilities proposed. The commission, subject to dispute resolution rules adopted by said commission, shall have the final determination on any disputes arising out of such program proposals.

In adjudicating disputes between the two secondary and postsecondary education systems regarding the state plan, the commission will use at least the following criteria: Recognition that secondary education is constitutionally the responsibility of the superintendent of public



instruction and that by legislative action postsecondary education is the responsibility of institutions of higher education; adhere to the general policy set forth in the state plan; consider the particular vocational need of the community, region, or state and whether the common school or community college, or both, can best respond to those needs; encourage cooperation and coordination rather than competition and program conflict between secondary and postsecondary education systems; consider the desires and preferences of the residents of the immediate program service area and of the representatives of the fields of management, labor, and agriculture which benefit from possible program offerings; and avoid unnecessary duplication of vocational education programs and facilities.

(3) Vocational education administration. The commission shall be the sole agency for the receipt and allocation of federal funds in accordance with the state plan. The supervision of the state plan shall be carried out by the commission; however, daily administration of the state plan shall be primarily the responsibility of the superintendent of public instruction and the state board for community college education: PROVIDED, That the commission shall review and approve state plan development proposals or special programs requiring personal service contracts, and activities beyond the program responsibilities of the superintendent of public instruction and the state board for community college education.

Under the state plan the commission shall make periodic compliance audits at least once a biennium of the vocational education programs individually and jointly conducted by the common schools and community colleges to insure compliance with the state plan.

The commission shall be the primary state liaison with the federal government for the state plan for vocational education.

(4) Fire service training program. The commission may accept any and all donations, grants, bequests, and devices, conditional or otherwise, or money, property, service, or other things of value which may be received from the United States or any agency thereof, any governmental agency, any institution, person, firm, or corporation, public and private, to be held, used, or applied for the purposes of the fire service training program established in RCW 28C.04.140.

(5) Job skills program. The commission shall have the following powers and duties for the job skills program:

(a) To collect and disseminate to interested individuals, in cooperation with and through any agencies of federal, state, and municipal government, information concerning areas of present and projected employment need, programs of skills training and education consistent therewith, and any other relevant information;

(b) To apply for, utilize, and accept grants from other federal, state, and local agencies for the purposes of matching requirements and to facilitate the purposes of sections 4 through 10 of this 1983 act;

(c) To help identify, upon the request of business and industry, those educational institutions which could provide the training services sought by business and industry and to identify any existing programs which could serve the particular needs of business and industry;

(d) To provide job skills grants to educational institutions to facilitate the development of programs of job skills training and education consistent with employment needs;

(e) To work cooperatively with the employment security department to enhance and update the state's occupational information system and the state's career information system;

(f) To adopt rules to carry out its powers and duties for the job skills program.

NEW SECTION. Sec. 4. The commission may, subject to appropriation from the legislature or from funds made available from any other public or private source and pursuant to rules adopted by the commission, provide job skills grants to educational institutions. The job skills grants shall be used exclusively for programs which are consistent with the job skills program. A job skills grant may be awarded only after:

(1) Receipt of an application from an educational institution which contains a proposal for a program of skills training and education, including a description of the program, the type of skills training or education to be provided, a statement of the total cost of the program and a breakdown of the costs associated with equipment, personnel, facilities, and materials, a statement of the employment needs for the program and evidence in support thereof, demonstrates that the program does not unnecessarily duplicate existing programs in the area and is provided at a reasonable cost, a statement of the technical assistance and financial support for the program received or to be received from business and industry, and such other information as the commission requests; and

(2) The commission, based on the application submitted by the educational institution and such additional investigation as the staff of the commission shall make, finds that:

(a) The program is within the scope of the job skills program under this chapter and may reasonably be expected to succeed and thereby increase employment within the state;

(b) Provision has been made to use any available alternative funding from local, state, and federal sources;

(c) The job skills grant will only be used to cover the costs associated with the program;

(d) The program will not unnecessarily duplicate existing programs and could not be provided by another educational institution more effectively or efficiently;

(e) The program involves an area of skills training and education for which there is a demonstrable need;

(f) The applicant has made provisions for the use of existing federal and state resources for student financial assistance;

(g) The job skills grant is essential to the success of the program as the resources of the applicant are inadequate to attract the technical assistance and financial support necessary for the program from business and industry;

(h) The commitment of financial support from business and industry shall be equal to or greater than the amount of the requested job skills grant;

(i) Binding commitments have been made to the commission by the applicant for adequate reporting of information and data regarding the program to the commission, particularly information concerning the recruitment and employment of trainees and students, and including a requirement for an annual or other periodic audit of the books of the applicant directly related to the program, and for such control on the part of the commission as it considers prudent over the management of the program, so as to protect the use of public funds, including, in the discretion of the commission and without limitation, right of access to financial and other records of the applicant directly related to the programs;

(j) Provision has been made by the applicant to work, in cooperation with the employment security department, to identify and screen potential trainees and that provision has been made by the applicant of persons who are victims of economic dislocation and persons from minority and economically disadvantaged groups to participate in the program; and

(k) Binding commitments have been made to the commission by the applicant for compliance with the monitoring and evaluation rules of the commission.

NEW SECTION. Sec. 5. Upon approval of a job skills grant application by the commission, the commission shall immediately provide notification of its decision to the employment security department. The notification shall include the following information regarding the supported program: The trade, occupation, or profession with which the program is concerned; a description of the curriculum, the requirements for participation, and the procedures for making application; the duration of the program; a description of support services available to participants in the program; and any other information relevant to encouraging and facilitating the participation in the program of those in economic need.

NEW SECTION. Sec. 6. The department of commerce and economic development or its successor and the employment security department shall each enter into an interagency agreement with the commission on vocational education to establish cooperative working arrangements for the purposes of sections 2 and 4 through 10 of this act.

NEW SECTION. Sec. 7. The employment security department shall, for the purposes of sections 2 and 4 through 10 of this act:

(1) Work cooperatively with educational institutions providing job skills training programs to identify and screen potential trainees and students;

(2) Perform labor market analyses designed to assure the availability of suitable trainees and students; and

(3) Identify areas with high concentrations of economically disadvantaged persons and high unemployment.

NEW SECTION. Sec. 8. The department of commerce and economic development or its successor shall for the purposes of sections 2 and 4 through 10 of this act:

(1) Work cooperatively with the commission on vocational education to market the job skills program to business and economic development agencies and other firms;

(2) Recruit industries from outside the state to participate in the job skills training program; and

(3) Refer business and industry interested in developing a job skills training program to the commission on vocational education.

NEW SECTION. Sec. 9. The commission shall annually submit a complete and detailed report of the commission's activities within ninety days after the end of the fiscal year to the chief clerk of the house of representatives, to the secretary of the senate, and to the governor. The annual report shall include, but not be limited to, descriptions of all programs funded, and evaluation of the performance of each program, a summary of the public moneys expended, and the demographic and economic characteristics of the individuals trained, educated, and employed, including, in particular, the number of minority and economically disadvantaged individuals.

NEW SECTION. Sec. 10. A person making satisfactory progress in a program under this section and sections 2 and 4 through 9 of this act and who in the determination of the commissioner has no reasonable expectation of securing work without training shall be deemed to be in training with the approval of the commissioner of employment security for the purposes of RCW 50.20.043.

NEW SECTION. Sec. 11. Sections 1, 2, and 4 through 10 of this act are each added to chapter 223, Laws of 1969 ex. sess. and to chapter 28C.04 RCW.

NEW SECTION. Sec. 12. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 13. There is appropriated from the general fund to the commission on vocational education for the biennium ending June 30, 1985, the sum of three million five hundred thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act. However, of this appropriation, not more than two hundred fifty thousand dollars may be expended for the state's occupational information system, and not more than two hundred fifty thousand dollars may be expended for the state's career information system. The amount spent for administrative expenses incurred by the commission on vocational education for the jobs skills program shall not exceed five percent of all funds expended for the jobs skills program."

#### MOTIONS

On motion of Senator McDermott, the following title amendment was adopted:

On page 1, line 1 of the title, after "education," strike the remainder of the title and insert "amending section 4, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.040; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28C.04 RCW; and making an appropriation."

On motion of Senator McDermott, the rules were suspended, Engrossed Second Substitute House Bill No. 231, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Wojahn: "Senator McDermott, this amendment we have just hung adds three and a half million dollars for voc-tech programs, is that correct? Will any of that money be given to voc-technical schools or is it all going to go to community colleges?"

Senator McDermott: "Senator Wojahn, my understanding of this bill is that it is available for industry to come to an educational institution and work out a program. It does not limit it to any particular place--any place in the higher education system from vocational education right straight on through to the universities."

Senator Wojahn: "Also, one more question, do you know if it will affect the apprenticeship training programs that are available at some community colleges, but generally at voc-tech schools?"

Senator McDermott: "The purpose of this bill is not to take away from or detract, in anyway, from apprenticeship programs, but to provide another means for developing work training and it is not to supplant or get rid of the joint apprenticeship training. It is really to be an additional thing."

Debate ensued.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed Second Substitute House Bill No. 231.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Second Substitute House Bill No. 231, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; absent, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 47.

Voting nay: Senator McCaslin - 1.

Absent: Senator Deccio - 1.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 231, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Senator Bottiger, the Senate advanced to the eighth order of business.

On motion of Senator Bottiger, the Committee on Transportation was relieved of further consideration of Senate Bill No. 4043.

On motion of Senator Bottiger, the rules were suspended and Senate Bill No. 4043 was advanced to second reading and placed on the second reading calendar.

At 11:51 a.m., on motion of Senator Shinpoch, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

The Senate was called to order at 1:30 p.m. by President Cherberg.

#### MOTION

At 1:33 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 1:50 p.m.

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

#### SECOND READING

SENATE BILL NO. 4059, by Senator McDermott

Relating to the central stores revolving fund.

#### MOTIONS

On motion of Senator Shinpoch, Substitute Senate Bill No. 4059 was substituted for Senate Bill No. 4059 and the substitute bill was placed on second reading and read the second time.

On motion of Senator Shinpoch, the rules were suspended, Substitute Senate Bill No. 4059 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 4059.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 4059 and the bill passed the Senate by the following vote: Yeas, 46; absent, 3.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 46.

Absent: Senators Bauer, Gaspard, Quigg - 3.

SUBSTITUTE SENATE BILL NO. 4059, having received the 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. 4063, by Senator McDermott

Relating to the use of revolving funds.

#### MOTIONS

On motion of Senator Shinpoch, Substitute Senate Bill No. 4063 was substituted for Senate Bill No. 4063 and the substitute bill was placed on second reading and read the second time.

On motion of Senator Shinpoch, the rules were suspended, Substitute Senate Bill No. 4063 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

On motion of Senator Bluechel, Senator Quigg was excused.

On motion of Senator Vognild, Senator Bauer was excused.

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 4063.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 4063, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; excused, 2.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Rasmussen, Rinehart, Shipoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 46.

Voting nay: Senator Sellar - 1.

Excused: Senators Bauer, Quigg - 2.

SUBSTITUTE SENATE BILL NO. 4063, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 470, by Committee on Ways and Means (originally sponsored by Representative Grimm)

Altering provisions relating to state funds.

The bill was read the second time.

## MOTION

On motion of Senator McDermott, the following Committee on Ways and Means amendment was adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. During the fiscal biennium ending June 30, 1983, the state treasurer shall transfer from the resource management cost account to the University of Washington building account three million three hundred thousand dollars or so much thereof as may be necessary to maintain a positive balance in the University of Washington building account.

NEW SECTION, Sec. 2. During the fiscal year ending June 30, 1984, the state treasurer shall transfer from the University of Washington building account to the resource management cost account an amount equal to the amount transferred under section 1 of this act. To the extent moneys in the University of Washington building account, less funds required for debt service and funds authorized for capital expenditure, are not sufficient to allow full transfer under the preceding sentence, the state treasurer shall transfer moneys from the state general fund to the resource management cost account on June 30, 1984.

NEW SECTION, Sec. 3. (1) The deductions authorized in RCW 79.64.040 relating to common school lands may be increased by the board of natural resources to one hundred percent after temporary discontinued deductions result in a transfer to the common school construction fund in the amount of approximately fourteen million dollars or so much thereof as may be necessary to maintain a positive cash balance in the common school construction fund. The increased deductions shall continue until the additional amounts received from the increased rate equal the amounts of the deductions that were discontinued or transferred under subsection (2) of this section. Thereafter the deductions shall be as otherwise provided for in RCW 79.64.040.

(2) If the discontinued deductions will not result in a transfer of fourteen million dollars or so much thereof as may be necessary to maintain a positive balance in the common school construction fund in the biennium ending June 30, 1983, the state treasurer shall transfer the difference from the resource management cost account to the common school construction fund.

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."

## MOTIONS

On motion of Senator McDermott, the rules were suspended, Substitute House Bill No. 470, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Substitute House Bill No. 470, as amended by the Senate.

## ROLL CALL

The Secretary called the roll on final passage of Substitute House Bill No. 470, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; excused, 2.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Rasmussen, Rinehart, Sellar, Shipoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 46.

Voting nay: Senator Pullen - 1.

Excused: Senators Bauer, Quigg - 2.

SUBSTITUTE HOUSE BILL NO. 470, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 471, by Representative Grimm

Modifying provisions relating to the judiciary education account.

#### MOTION

On motion of Senator McDermott, the rules were suspended, House Bill No. 471 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of House Bill No. 471.

#### ROLL CALL

The Secretary called the roll on final passage of House Bill No. 471, and the bill passed the Senate by the following vote: Yeas, 45; absent, 2; excused, 2.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 45.

Absent: Senators Hayner, Jones - 2.

Excused: Senators Bauer, Quigg - 2.

HOUSE BILL NO. 471, having received the 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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 496, by House Committee on Ways and Means (originally sponsored by Representatives Ristuben, Grimm, Miller, Egger, Struthers, Powers, Fiske, Halsan, Brough, Charnley, Nealey, Long, Vander Stoep, Ebersole, Schmidt, Garrett, Betrozoff, R. King, Allen, Dellwo, Ballard, Heck, Jacobsen, Schoon, Martinis, Fuhrman, Taylor, Van Dyken, Walk, Pruitt, Barrett, Zellinsky, Johnson, Kaiser, J. Williams, Todd, Mitchell, Fisch, Patrick, Fisher, Tilly, Crane, Addison, D. Nelson, Tanner, Wang, McClure, Gallagher, Hine, Kreidler, Burns, Stratton, Appelwick, Niemi, Locke, Isaacson, Silver, Vekich, McMullen, Braddock, Rust, Brekke, B. Williams, Belcher, Holland, Moon, Wilson, Sutherland, O'Brien, Lewis and Armstrong)

Modifying provisions on senior citizen tax relief.

The bill was read the second time.

#### MOTION

On motion of Senator McDermott, the rules were suspended, Engrossed Substitute House Bill No. 496 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 496.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute House Bill No. 496, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 48.

Excused: Senator Bauer - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 496, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 725, by Representative Grimm (by Code Reviser request)

Appropriating funds for the publication of the session laws.

The bill was read the second time.

#### MOTION

On motion of Senator McDermott, the rules were suspended, House Bill No. 725 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of House Bill No. 725.

#### ROLL CALL

The Secretary called the roll on final passage of House Bill No. 725, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shipoch, Talmadge, Thompson, Vogt, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 48.

Excused: Senator Bauer - 1.

HOUSE BILL NO. 725, having received the 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 President advanced the Senate to the seventh order of business.

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 3766, by Senate Committee on Judiciary (originally sponsored by Senators Fleming, Talmadge and McDermott)

Prohibiting the use of choke holds by law enforcement and correctional officers.

#### MOTION

On motion of Senator Talmadge, the rules were suspended and Substitute Senate Bill No. 3766 was returned to second reading and read the second time.

Senator Talmadge moved that the following amendment by Senators Talmadge and Fleming be adopted:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION.** Sec. 1. There is added to chapter 9A.16 RCW a new section to read as follows:

(1) As used in this section:

(a) "Choke hold" means any hold or restraint specifically designed to inhibit breathing by compression of the airway in the neck.

(b) "Sleeper hold" means any hold or restraint specifically designed to inhibit blood flow through the carotid arteries of the neck.

(2) No law enforcement officer, correctional guard, or other employee of the state or a political subdivision of the state may use a choke hold or sleeper hold unless it is necessary as defined in RCW 9A.16.010, it is not unlawful under RCW 9A.16.020 (1) and (2), and the person has received training in the use of choke holds or sleeper holds in accordance with standards established by the criminal justice training commission.

(3) In addition to the requirements of subsection (2) of this section, a choke hold may be used only if the person on whom the hold is used poses a threat of death or serious physical injury to any person.

(4) In addition to the requirements of subsection (2) of this section, a sleeper hold may be used only if the person on whom the hold is used poses a threat of death or serious physical injury to any person, or to prevent escape or suicide.

NEW SECTION. Sec. 2. There is added to chapter 43.101 RCW a new section to read as follows:

The board on law enforcement training standards and education and the board on correctional training standards and education shall develop and the commission shall adopt training standards for the use of choke holds and sleeper holds as defined in section 1 of this act."

#### POINT OF INQUIRY

Senator Pullen: "Senator Talmadge, I was comparing your proposed amendment with the House version of this particular bill and my first question relates to lines 24 and 25 where you make reference to RCW 9A 16.010 and RCW 9A 16.020 and you say in your amendment that 'no law enforcement officer, correctional guard, or other employee of the state may use a choke hold or sleeper hold unless it is necessary as defined in those two RCWs.' Can you tell me what those two RCW citations relate to?"

Senator Talmadge: "I think that they basically apply to the application of deadly force, Senator Pullen. The ones in 9A 16.020 apply to situations involving a felony."

Senator Pullen: "Well, it seems to me that subsection (2) should perhaps properly relate to choke holds, but not necessarily to a sleeper hold. I, also, note that in subsection (4) on page 2 of your amendment, it says 'in addition to the requirements of subsection (2) of this section, a sleeper hold may be used only if the person on whom the hold is used poses a threat of death or serious physical injury to any person.' In other words, that requirement in subsection (4) is an addition to the requirement in subsection (2), which relates back to RCW 9A 16.010. It sounds like there are two requirements that have to be applied before the choke hold or sleeper hold can be used."

Senator Talmadge: "Essentially, that is correct, because in the case of the sleeper hold, its misapplication is substantially more dangerous to the individual upon whom it is applied than is the choke hold. I would point out to you that the requirements in the first subsection--subsection (2) are basically conformed to the requirements for the application of deadly force. In subsection (4), we have added those additional situations where the sleeper hold can be used. It can be used basically, in addition, where there is a situation where a person poses a threat of danger to that officer or to another and in a noncustodial setting. In other words--out on the street--to prevent the individual from escaping from a law enforcement officer."

Senator Pullen: "O.K., but the way it is worded, it sounds like you must meet the requirements of both subsections (2) and (4) before the sleeper hold can be applied."

Senator Talmadge: "That is correct."

#### POINT OF INQUIRY

Senator Deccio: "Senator Talmadge, my question is somewhat along the lines of Senator Pullen. Is the Sentencing Guideline Commission going to require that every law enforcement officer learn the technique of applying the proper choke hold? I think that Senator Pullen brings up a very good point if there is danger imminent in sub (4), but yet no one has received the training, then that law enforcement officer's life is in danger. Would it not be then that we ought to put in the statutes that law enforcement people should learn the new technique?"

Senator Talmadge: "Senator, I would point out to you--first that with respect to subsection (2) of section one, that the standards for application of this type of hold must be learned by all those people who want to apply it. In other words, they have to be trained in the proper use of this type of hold. That is the first requirement for anybody attempting to do it. I think the key thing is if we have a situation where these kinds of holds are misapplied the danger to the individual and the consequent liability to the local government, under whose jurisdiction this type of hold is applied, can be very great. As a consequence, we want to make sure that the people who are applying this type of hold--be it a choke hold or sleeper hold--are people who are trained in the application of that type of physical restraint."

Further debate ensued.



## MOTION

On motion of Senator Pullen, further consideration of Substitute Senate Bill No. 3766 was deferred.

## THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3817, by Senate Committee on Judiciary (originally sponsored by Senators Fleming, Hemstad, McDermott and Talmadge)

Restricting body searches by law enforcement agencies.

## MOTIONS

On motion of Senator Talmadge, the rules were suspended and Engrossed Substitute Senate Bill No. 3817 was returned to second reading and read the second time.

Senator Clarke moved that the following amendment by Senator Guess be adopted:

On page 1, strike everything after the enacting clause and insert:

NEW SECTION, Sec. 1. There is hereby added to chapter 70.48 RCW a new section to read as follows:

The Washington state corrections standards board shall promulgate rules and regulations concerning the appropriate procedures for strip searches in the jails of this state. The board shall consider prisoners' civil rights and rights to privacy in adopting such rules: PROVIDED, That (1) no person may be subjected to a strip search in a county jail, detention or corrections facility by, or observed by, a member of the opposite sex, and (2) no body cavity search shall be performed in a county jail, detention or corrections facility except pursuant to a search warrant. Rules shall be promulgated no later than October 1, 1983, and all jails within the state shall be in compliance with search rules by January 1, 1984.

NEW SECTION, Sec. 2. There is hereby added to chapter 70.48 RCW a new section as follows:

Any jail within the state which shall be in violation of the rules and regulations of the state corrections standards board with respect to strip searches shall receive no state funds."

Debate ensued.

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

The motion by Senator Clarke failed and the Guess amendment was not adopted.

## MOTIONS

On motion of Senator Talmadge, the following amendment by Senators Talmadge, Hemstad and Fleming was adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. It is the intent of the legislature to establish policies regarding the practice of strip searching persons booked into holding, detention, or local correctional facilities. It is the intent of the legislature to restrict the practice of strip searching and body cavity searching persons booked into holding, detention, or local correctional facilities to those situations where such searches are necessary.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 1 through 6 of this act.

(1) "Strip search" means having a person remove or arrange some or all of his or her clothing so as to permit an inspection of the genitals, buttocks, anus, or undergarments of the person or breasts of a female person.

(2) "Body cavity search" means the touching or probing of a person's body cavity, whether or not there is actual penetration of the body cavity.

(3) "Body cavity" means the stomach or rectum of a person and the vagina of a female person.

(4) "Law enforcement agency" and "law enforcement officer" include local departments of corrections created pursuant to RCW 70.48.090(3) and employees thereof.

NEW SECTION, Sec. 3. (1) No person may be subjected to a body cavity search by or at the direction of a law enforcement agency unless a search warrant is issued pursuant to superior court criminal rules.

(2) No law enforcement officer may seek a warrant for a body cavity search without first obtaining specific authorization for the body cavity search from the ranking shift supervisor of the law enforcement authority. Authorization for the body cavity search may be obtained electronically: PROVIDED, That such electronic authorization shall be reduced to writing by the

law enforcement officer seeking the authorization and signed by the ranking supervisor as soon as possible thereafter.

(3) Before any body cavity search is authorized or conducted, a thorough pat-down search, a thorough electronic metal-detector search, and a thorough clothing search, where appropriate, must be used to search for and seize any evidence of a crime, contraband, fruits of crime, things otherwise criminally possessed, weapons, or other things by means of which a crime has been committed or reasonably appears about to be committed. No body cavity search shall be authorized or conducted unless these other methods do not satisfy the safety, security, or evidentiary concerns of the law enforcement agency.

(4) A law enforcement officer requesting a body cavity search shall prepare and sign a report regarding the body cavity search. The report shall include:

(a) A copy of the written authorization required under subsection (2) of this section;

(b) A copy of the warrant and any supporting documents required under subsection (1) of this section;

(c) The name and sex of all persons conducting or observing the search;

(d) The time, date, place, and description of the search; and

(e) A statement of the results of the search and a list of any items removed from the person as a result of the search.

The report shall be retained as part of the law enforcement agency's records.

**NEW SECTION.** Sec. 4. Nothing in section 3 of this act or this section may be construed as precluding or preventing the administration of medical care to persons requiring immediate medical care or requesting medical care.

**NEW SECTION.** Sec. 5. (1) Persons conducting a strip search shall not touch the person being searched except as reasonably necessary to effectuate the strip search of the person.

(2) Any body cavity search must be performed under sanitary conditions and conducted by a physician, registered nurse, or physician's assistant, licensed to practice in this state, who is trained in the proper medical process and the potential health problems associated with a body cavity search. No health professional authorized by this subsection to conduct a body cavity search shall be held liable in any civil action if the search is conducted in a manner that meets the standards and requirements of RCW 4.24.290 and 7.70.040.

(3) Except as provided in subsection (7) of this section, a strip search or body cavity search, as well as presearch undressing or postsearch dressing, shall occur at a location made private, from the observation of persons not physically conducting the search. A strip search or body cavity search shall be performed or observed only by persons of the same sex as the person being searched, except for licensed medical professionals as required by subsection (2) of this section.

(4) Except as provided in subsection (5) of this section, no person may be present or observe during the search unless the person is necessary to conduct the search or to ensure the safety of those persons conducting the search.

(5) Nothing in this section prohibits a person upon whom a strip search or body cavity search is to be performed from having a readily available person of his or her choosing present at the time the search is conducted. However, the person chosen shall not be a person being held in custody by a law enforcement agency.

(6) Section 3 of this act and this section shall not be interpreted as expanding or diminishing the authority of a law enforcement officer with respect to searches incident to arrest or investigatory stop in public.

(7) A strip search of a person housed in a holding, detention, or local correctional facility to search for and seize a weapon may be conducted at other than a private location if there arises a specific threat to institutional security that reasonably requires such a search or if all persons in the facility are being searched for the discovery of weapons or contraband.

**NEW SECTION.** Sec. 6. Sections 3, 4, and 5 of this act shall not be construed as limiting any constitutional, common law, or statutory right of any person regarding any action for damages or injunctive relief, or as precluding the prosecution under another provision of law of any law enforcement officer or other person who has violated section 3, 4, or 5 of this act.

**NEW SECTION.** Sec. 7. The corrections standards board shall study the use of strip searches of persons booked into holding, detention, and local correctional facilities. The corrections standards board shall identify those categories of persons booked into holding, detention, and local correctional facilities which the board deems inappropriate to strip search or body cavity search. Minimum criteria to be employed by the board in identifying such categories shall be federal and state constitutional requirements. The board shall submit its findings and recommendations, together with proposed legislation, to the judiciary committees of the senate and house of representatives before January 1, 1984.

**NEW SECTION.** Sec. 8. Sections 1 through 6 of this act are each added to chapter 10.79 RCW.

**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 on July 1, 1983."

On motion of Senator Talmadge, the following title amendment was adopted:

On page 1, line 1 of the title, after "seizure;" strike the remainder of the title and insert "adding new sections to chapter 10.79 RCW; creating a new section; providing an effective date; and declaring an emergency."

#### MOTION

On motion of Senator McDermott, the rules were suspended, Reengrossed Substitute Senate Bill No. 3817 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Reengrossed Substitute Senate Bill No. 3817.

#### ROLL CALL

The Secretary called the roll on final passage of Reengrossed Substitute Senate Bill No. 3817, and the bill passed the Senate by the following vote: Yeas, 40; nays, 7; absent, 1; excused, 1.

Voting yea: Senators Bender, Bluechel, Bottiger, Clarke, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shipoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Zimmerman - 40.

Voting nay: Senators Barr, Benitz, Craswell, Deccio, Guess, McCaslin, Metcalf - 7.

Absent: Senator Woody - 1.

Excused: Senator Bauer - 1.

REENGROSSED SUBSTITUTE SENATE BILL NO. 3817, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate resumed consideration of Substitute Senate Bill No. 3766 and the pending striking amendment by Senators Talmadge and Fleming, deferred earlier today.

The President declared the question before the Senate to be adoption of the striking amendment by Senators Talmadge and Fleming.

The motion by Senator Talmadge carried and the amendment was adopted.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Guess moved to reconsider the vote by which the striking amendment by Senators Talmadge and Fleming was adopted.

The President declared the question before the Senate to be the motion by Senator Guess to reconsider the vote by which the amendment by Senators Talmadge and Fleming was adopted.

The motion by Senator Guess carried and the Senate reconsidered the striking amendment by Senators Talmadge and Fleming.

#### MOTION FOR RECONSIDERATION

Senator Guess moved that the following amendment to the amendment be adopted:

On page 2, line 11, after the work "setting", insert the words "to affect an arrest or"

Debate ensued.

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

The motion by Senator Guess failed and the amendment to the amendment was not adopted.

#### MOTION

Senator Pullen moved the following amendment to the amendment be adopted:

On page 2, line 3, after "person" insert "and a sleeper hold cannot be reasonably applied as a first choice"

Debate ensued.

The President declared the question before the Senate to be adoption of the Pullen amendment to the amendment.

The motion by Senator Pullen failed on a rising vote and the amendment to the amendment was not adopted.

The President Pro Tempore declared the question before the Senate to be adoption of the amendment by Senators Talmadge and Fleming, on reconsideration.

The amendment, on reconsideration, was adopted.

#### MOTION

On motion of Senator Talmadge, the following title amendment was adopted:

On page 1, line 2 of the title, after "subdivisions;" strike all material down to and including "RCW" on line 3 and insert "adding a new section to chapter 9A.16 RCW; and adding a new section to chapter 43.101 RCW."

#### MOTION

On motion of Senator Talmadge, the rules were suspended, Engrossed Substitute Senate Bill No. 3766 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3766.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 3766, and the bill passed the Senate by the following vote: Yeas, 35; nays, 13; excused, 1.

Voting yea: Senators Bender, Bluechel, Bottiger, Clarke, Conner, Decchio, Fleming, Gaspard, Goltz, Granlund, Hansen, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, McDermott, McManus, Moore, Newhouse, Owen, Peterson, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 35.

Voting nay: Senators Barr, Benitz, Craswell, Fuller, Guess, Haley, Hurley, McCaslin, Metcalf, Patterson, Pullen, Quigg, von Reichbauer - 13.

Excused: Senator Bauer - 1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3766, having received the 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 HOUSE BILL NO. 399, by Representatives Sayan, Belcher and McClure

Modifying provisions relating to sales of timber from state-owned land.

#### MOTIONS

On motion of Senator Owen, the rules were suspended and Engrossed House Bill No. 399 was returned to second reading and read the second time.

Senator Owen moved that the following amendment by Senators Owen and Vognild be adopted:

On page 2, line 20, after "1983" insert "and shall cease to be effective October 1, 1987"

#### POINT OF ORDER

Senator Clarke: "Mr. President, a point of order. The bill relates to indexing and the price of the sales and the amendment relates to relieving people of their contracts on timber and it doesn't tie in with the bill's main purpose at all."

Debate ensued.

#### MOTIONS

On motion of Senator Shinpoch, further consideration of Engrossed House Bill No. 399 was deferred.

At 3:18 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 4:00 p.m.

MOTION

On motion of Senator Shinpoch, Engrossed Substitute House Bill No. 181, introduced and held at the morning session, was referred to the Committee on Natural Resources.

MOTION

At 4:03 p.m., on motion of Senator Shinpoch, the Senate adjourned until 10:00 a.m., Tuesday, May 3, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

## NINTH DAY

---

### MORNING SESSION

---

Senate Chamber, Olympia, Tuesday, May 3, 1983

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Bauer, Clarke, Jones, McDermott and Rasmussen. On motion of Senator Bluechel, Senators Clarke and Jones were excused. On motion of Senator Vognild, Senators Bauer, McDermott and Rasmussen were excused.

The Sergeant at Arms Color Guard, consisting of Pages Michelle Birdsall and Bryan Wahl, presented the Colors. Reverend Wallace F. Misterek, pastor of Trinity Lutheran Church of Olympia, offered the prayer.

### MOTION

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

### REPORTS OF STANDING COMMITTEES

April 29, 1983

SB 3834 Prime Sponsor, Senator Bottiger: Equalizing the authority of municipalities to impose local sales taxes. Reported by Committee on Ways and Means

MAJORITY recommendation: Do pass. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman; Bauer, Bottiger, Fleming, Hughes, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Wojahn, Woody.

MINORITY recommendation: Do not pass. Signed by Senator Pullen.

Passed to Committee on Rules for second reading.

April 29, 1983

SB 3850 Prime Sponsor, Senator Vognild: Establishing the private sector job placement program. Reported by Committee on Ways and Means

MAJORITY recommendation: Do pass as amended. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman; Bauer, Bottiger, Fleming, Hughes, Rinehart, Shinpoch, Talmadge, Warnke, Woody.

Passed to Committee on Rules for second reading.

April 29, 1983

ESHB 495 Prime Sponsor, Representative Grimm: Providing post-retirement adjustments for public retirement systems. Reported by Committee on Ways and Means

MAJORITY recommendation: Do pass as amended. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman; Bauer, Bottiger, Fleming, Hughes, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Wojahn, Woody.

Passed to Committee on Rules for second reading.

May 3, 1983

EHB 752 Prime Sponsor, Representative Charnley: Granting authority to cities, towns, counties, and special purpose districts. Reported by Committee on Energy and Utilities

MAJORITY recommendation: Do pass. Signed by Senators Williams, Chairman; Benitz, Fuller, Goltz, Hemstad, Moore, Quigg.

Passed to Committee on Rules for second reading.

## MOTION

On motion of Senator Shinpoch, the rules were suspended and Senate Bills No. 3834 and 3850 and Engrossed Substitute House Bill No. 495 and Engrossed House Bill No. 752 were advanced to second reading and placed on the second reading calendar.

## MESSAGES FROM THE HOUSE

May 2, 1983

Mr. President:

The House has passed:

SENATE BILL NO. 3314, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 2, 1983

Mr. President:

The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 3056,

SUBSTITUTE SENATE BILL NO. 3266,

SUBSTITUTE SENATE BILL NO. 3856, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## INTRODUCTION AND FIRST READING

SCR 133 by Senators Bottiger, Vognild and Wojahn

Authorizing a study regarding the consolidation of Department of Labor and Industries Olympia-area offices.

Hold.

## MOTIONS

On motion of Senator Shinpoch, the rules were suspended. Senate Concurrent Resolution No. 133 was advanced to second reading and read the second time.

On motion of Senator Shinpoch, the rules were suspended. Senate Concurrent Resolution No. 133 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Deccio: "Senator Vognild, if it comes to pass that the Department would consolidate all its offices into one area, would the total square footage be the same as they're using now or in order to respond to what Senator Guess said, would they allow for expansion?"

Senator Vognild: "Well, Senator the study requires that they report back to the legislature and the legislature makes the final approval on it. I would assume that their reports would indicate what square footage they feel they need right now, what they need in the future--and the legislature will make the decision as to whether they would have expanded space."

Senator Deccio: "Senator Vognild, will the Department be given specific instructions as to indicate the number of square footage they're using now and what they plan to seek so that there won't be any misunderstanding between what they're planning to do and what we want them to come back to us with?"

Senator Vognild: "Senator, as chairman of the Labor Committee which deals with this Department, I would be more than happy to submit a letter to them requesting the amount of square footage they have now and how they're utilizing it when they submit their plans."

Further debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Senate Concurrent Resolution No. 133.

## ROLL CALL

The Secretary called the roll on final passage of Senate Concurrent Resolution No. 133, and the resolution passed the Senate by the following vote: Yeas, 29; nays, 16; excused, 4.

Voting yea: Senators Bender, Bottiger, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, Kiskaddon, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody - 29.

Voting nay: Senators Barr, Benitz, Bluechel, Craswell, Deccio, Guess, Haley, Hayner, Hemstad, Jones, Lee, McCaslin, McManus, Metcalf, Quigg, Zimmerman - 16.

Excused: Senators Bauer, Clarke, McDermott, Rasmussen - 4.

SENATE CONCURRENT RESOLUTION NO. 133, having received the constitutional majority, was declared passed.

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

### THIRD READING

SUBSTITUTE HOUSE BILL NO. 39, by Committee on State Government (originally sponsored by Representatives Walk, Lewis, Dickie, Brough, Miller, Sayan, Nealey, Hankins, Isaacson, Silver, Hastings, Addison, Tilly, Struthers, Mitchell, Allen, J. Williams, Barrett and Clayton)

Modifying sunset review procedures.

### MOTIONS

On motion of Senator Warnke, the rules were suspended and Substitute House Bill No. 39 was returned to second reading and read the second time.

### MOTION FOR RECONSIDERATION

On motion of Senator Warnke, the Senate reconsidered the vote by which the amendment on page 7, line 27, was adopted by the Senate, April 19, 1983.

### PARLIAMENTARY INQUIRY

Senator Bottiger: "Mr. President, a point of parliamentary inquiry. I understand by the passing of that motion that the chair is considering amendments to bills that were previously adopted by the Senate as being adopted under the continuing resolution."

### REPLY BY THE PRESIDENT

President Cherberg: "Yes, that is true, Senator Bottiger."

### MOTION

On motion of Senator Warnke, the following amendment to the amendment was adopted:

On page 4 of the amendment to page 7, after line 1, strike all material down to and including "court." on page 5, line 27.

Renumber the remaining section consecutively.

The President declared the question before the Senate to be adoption of the amendment on page 7, line 27, as amended.

### POINT OF INQUIRY

Senator Hayner: "Senator Warnke, would you try to tell us exactly what the amendment was? I'm not at all clear."

Senator Warnke: "Senator Hayner, if you'll recall, this was the amendment we adopted that dealt with the escrow agents and a supreme court ruling and the effects that that had. The escrow agents had--after the bill had passed--section 13, which dealt with that subject matter--the trial lawyers association came in and had concerns about the language which is in section 13, so they simply have repealed that section which deals with the escrow agents. They are now under an escrow board and will work under the rules of the supreme court."

### POINT OF INQUIRY

Senator Bottiger: "I have received several calls from title companies indicating that there was double registration in the former bill. Are these the amendments that cure that objection?"

Senator Warnke: "I believe that's correct."



The amendment on page 7, line 27, as amended on reconsideration, was adopted.

#### MOTIONS

On motion of Senator Warnke, the following title amendment was adopted:

On line 4 of the title amendment to page 1, line 3, following "insert", strike all material through "18.44.020;" on line 8.

On motion of Senator Warnke, the rules were suspended, Substitute House Bill No. 39, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Substitute House Bill No. 39, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute House Bill No. 39, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; nays, 2; absent, 1; excused, 4.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Conner, Craswell, Deccio, Fuller, Gaspard, Goitz, Granlund, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 42.

Voting nay: Senators Guess, Metcalf - 2.

Absent: Senator Fleming - 1.

Excused: Senators Bauer, Clarke, McDermott, Rasmussen - 4.

SUBSTITUTE HOUSE BILL NO. 39, 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.

#### THIRD READING

HOUSE BILL NO. 72, by Representatives Grimm and Tilly (by Department of Revenue request)

Modifying miscellaneous tax provisions.

#### MOTIONS

On motion of Senator Bottiger, the rules were suspended and House Bill No. 72 was returned to second reading and read the second time.

On motion of Senator Bottiger, further consideration of House Bill No. 72 was deferred.

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

#### SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 740, by Committee on State Government (originally sponsored by Representatives Braddock, J. King, Zellinsky, Tanner, Smitherman, Ebersole, D. Nelson, Haugen and Jacobsen)

Establishing a cost control task force.

The bill was read the second time.

#### MOTIONS

On motion of Senator Warnke, the following Committee on State Government amendments were considered and adopted simultaneously:

On page 2, line 12, of the engrossed and printed bill, strike "on April 30, 1984" and insert "upon submitting its report as required by section 3 of this act"

On page 2, line 13, of the engrossed bill, being page 2, line 15, of the printed bill, strike "legislative budget committee" and insert "legislative advisory committee on state government organization created by Engrossed Substitute Senate Concurrent Resolution No. 113 of 1983"

On motion of Senator Warnke, the rules were suspended, Engrossed Substitute House Bill No. 740, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Quigg: "Senator Warnke, did we adopt the floor amendments on page 2, line 12, and page 2, line 13?"

Senator Warnke: "Yes, we have adopted them as committee amendments on page 2, line 12, and page 2, line 13. It is the same as the committee amendments that I read previously, Senator."

Senator Quigg: "So now we have stricken legislative budget committee and have the committee established by SCR 113 as the recipient of the oversight?"

Senator Warnke: "Yes."

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 740, as amended by the Senate.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute House Bill No. 740, as amended by the Senate, and the bill failed to pass the Senate by the following vote: Yeas, 23; nays, 23; excused, 3.

Voting yea: Senators Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McDermott, McManus, Moore, Owen, Peterson, Rinehart, Taimadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 23.

Voting nay: Senators Barr, Benitz, Bluechel, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Sellar, Shinpoch, von Reichbauer, Zimmerman - 23.

Excused: Senators Bauer, Clarke, Rasmussen - 3.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 740, as amended by the Senate, having failed to receive constitutional majority, was declared lost.

## NOTICE FOR RECONSIDERATION

Having voted on the prevailing side, Senator Shinpoch served notice that he would move to reconsider the vote by which Engrossed Substitute House Bill No. 740, as amended by the Senate, failed to pass the Senate.

## MOTION

At 10:42 a.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 11:38 a.m.

## MOTION

At 11:38 a.m., on motion of Senator Shinpoch, the Senate recessed until 1:30 p.m.

## AFTERNOON SESSION

The Senate was called to order at 1:30 p.m. by President Cherberg.

## MOTIONS

On motion of Senator Bottiger, the Committee on Rules was relieved of further consideration of Senate Bill Nos. 3044, 3187, 3780, 3608 and 3760 and of House Bill Nos. 43, 127 and 295.

On motion of Senator Bottiger, the rules were suspended and Senate Bill Nos. 3044, 3187, 3780, 3608 and 3760 and House Bill Nos. 43, 127 and 295 were advanced to second reading and placed on the second reading calendar.

There being no objection, the Senate resumed consideration of Substitute Senate Bill No. 3838, deferred April 28, 1983.

## RULING BY THE PRESIDENT

President Cherberg: "In ruling on the point of order raised by Senator Rasmussen, the President finds that Senate Bill No. 3838 is a measure which provides for the licensing of social workers, requires the setting of fees by rule and contains an appropriation.

"The President, therefore, finds that Senate Bill No. 3838 comes within the provisions of subsection (2) of House Concurrent Resolution No. 23 and that it is properly before the Senate."

## POINT OF ORDER

Senator Guess: "Mr. President, I would raise the point that the bill does not come within the purview for the following reasons: Subsection (2) says 'bills that implement budget.' Now, I would like to discuss with you the course that 3838 has had. It was adopted; it was introduced on February 17--had its first reading and was referred to the Senate Social and Health Services Committee."

## POINT OF ORDER

Senator Shinpoch: "Mr. President, a point of order. I don't really understand what Senator Guess is--is he challenging the ruling of the chair or what is he doing? My understanding of your ruling was that you have ruled on the scope on whether it's properly before us or not and that ruling has been made. It seems to me that if Senator Guess wants to challenge the ruling of the President, then he needs to start with that."

## APPEAL OF THE RULING OF THE CHAIR

Senator Guess: "Mr. President, I challenge the ruling of the chair for the following reasons:

"Mr. President, I do so for the reasons that 3838 was first read on February 17. It went to the committee--the committee heard it on March 11 and substituted the bill and put it out 'do pass.' It went to the Rules Committee for second reading. On March 30, it was referred to the Ways and Means Committee. Now, when the bill went to the Rules Committee, you would have thought that they would have put it in the pink budget. I have diligently searched all those sections in the pink budget and I find not one mention of any of the contents of 3838 in the budget--and I would call your attention to sections 52 to 65--62--63--and additional sections of the budget bill.

"I then went to Webster's Dictionary to find out if it did comply and was a part of the budget. A budget is 'a plan or a schedule of expenses during a certain period to the estimated or fixed income of that period; the costs of the estimate of the living or operating; the amount of money needed or allocated for a specific purpose; to put in a budget or to provide for in a budget.' None of these provisions of this law in a budget or provided for in a budget--'a plan of expenditures and activities according to a budget.' It is not in the pink budget which is House Bill 49.

"Now, if you're going to implement the budget, the Webster's Dictionary says that 'any article or device used or needed in a given activity--a tool, an instrument or utensil'--also 'to implement is any thing or person used as a means to some end.' Now, this may be a means to an end, but it's not an end to the budget or House Bill 49. 'To carry into practical effect'--It does not carry House Bill 49 into effect. It does not fulfill House Bill 49 and it does not accomplish 49.

"The next definition was to provide for the means of carrying out of and giving practical effect to the House Bill 49. For those reasons, Mr. President, I challenge the fact that it is not properly before the body."

## REPLY BY THE PRESIDENT

President Cherberg: "Members of the Senate, the President also believes that the measure fits in category one, inasmuch as the bill has an appropriation which affects the budget."

Debate ensued.

The President declared the question before the Senate to be shall the decision of the chair stand as the judgment of the Senate.

The motion by Senator Guess failed and the Senate resumed consideration of Substitute Senate Bill No. 3838 and the pending amendments to page 2, line 35, and page 3, line 16, by Senators Shinpoch and McManus, proposed April 28, 1983.

The President declared the question before the Senate to be adoption of the two amendments by Senators Shinpoch and McManus.

The motion by Senator Shinpoch carried and the amendments were adopted.

## MOTIONS

On motion of Senator Shinpoch, the following amendments were considered and adopted simultaneously:

On page 3, line 3, after "worker" strike "or certified social worker"  
 On page 4, line 21, after "worker" strike "or certified social worker"

On motion of Senator McManus, the rules were suspended, Engrossed Substitute Senate Bill No. 3838 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

#### POINT OF INQUIRY

Senator Hayner: "Senator McManus, I understand that one of the requirements is successful completion of an examination, in addition to the fact that you have to have a master's degree and two years' experience. Then, who will be grandfathered in or what are the reciprocity provisions of this bill? Will everybody that's presently practicing clinical social work be grandfathered?"

Senator McManus: "No, as far as I know, there's no grandfathering in, Senator Hayner. The people who are MSW's currently who hold a master's degree in social work and if they have the two years of experience they will be eligible to take the examination. They will have to pass the examination and be certified or licensed by the board of social workers."

Senator Hayner: "I wish you would explain then the next to the last sentence on our digest which says 'unless the applicant qualifies under the grandfather reciprocity provisions of the bill.' To what does that refer?"

Senator McManus: "I would have to check with the Department of Licensing on that. It was my understanding that these people would have to pass an examination and obtain their license from the board of social work that will be established under this law."

There being no objection, further consideration of Engrossed Substitute Senate Bill No. 3838 was deferred.

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

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 3074, by Committee on Social and Health Services (originally sponsored by Senators Moore, Jones and McManus)

Requiring licensure of occupational therapists.

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

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 3074.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 3074, and the bill passed the Senate by the following vote: Yeas, 34; nays, 12; absent, 1; excused, 2.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Conner, Deccio, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody - 34.

Voting nay: Senators Clarke, Craswell, Fuller, Guess, Haley, Hayner, McCaslin, Metcalf, Pullen, Quigg, Sellar, Zimmerman - 12.

Absent: Senator Hemstad - 1.

Excused: Senators Bauer, Rasmussen - 2.

SUBSTITUTE 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.

#### THIRD READING

SENATE BILL NO. 3083, by Senators Warnke, Rasmussen and Hayner (by Department of Licensing request)

Modifying certain license fees and procedures.

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

The President declared the question before the Senate to be the roll call on final passage of Senate Bill No. 3083.

## ROLL CALL

The Secretary called the roll on final passage of Senate Bill No. 3083, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; excused, 2.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 46.

Voting nay: Senator Guess - 1.

Excused: Senators Bauer, Rasmussen - 2.

SENATE BILL NO. 3083, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate resumed consideration of Substitute Senate Bill No. 3864 and the pending motion by Senator Hansen to suspend the rules and return the bill to second reading, deferred May 2, 1983.

The President declared the question before the Senate to be the motion by Senator Hansen to suspend the rules and return Substitute Senate Bill No. 3864 to second reading.

The motion by Senator Hansen carried and Substitute Senate Bill No. 3864 was returned to second reading and read the second time.

## MOTION

On motion of Senator Hansen, the following amendment by Senators Hansen and Newhouse was adopted:

On page 2, line 4, insert

\*Sec. 3. Section 4, chapter 33, Laws of 1971 ex. sess. as amended by section 20, chapter 182, Laws of 1982 and RCW 15.13.280 are each amended to read as follows:

No person shall act as a nursery dealer without a license for each place of business where horticultural plants are sold. Any person applying for such a license shall apply through the master license system. Such application shall be accompanied by a license fee of (~~twenty-five~~) one hundred dollars. Such license shall expire on the master license expiration date unless it has been revoked or suspended prior thereto by the director for cause. Each such license shall be posted in a conspicuous place open to the public in the location for which it was issued.

Sec. 4. Section 7, chapter 33, Laws of 1971 ex. sess. and RCW 15.13.310 are each amended to read as follows:

(1) There is hereby levied an annual assessment of one percent on the gross sale price of the wholesale market value for all fruit trees, fruit tree seedlings, and fruit tree rootstock sold within the state or shipped from the state of Washington by any licensed nursery dealer during any license period, as set forth in this chapter: PROVIDED, That the director may subsequent to a hearing, on or after this chapter has been in effect for a period of two years, reduce such assessment to conform with the costs necessary to carry out the fruit tree certification and nursery improvement programs specified in RCW 15.13.470.

Such wholesale market price may be determined by the wholesale catalogue price of the seller of such fruit trees, fruit tree seedlings, or fruit tree rootstock or of the shipper moving such fruit trees, fruit tree seedlings, or fruit tree rootstock out of the state. If the seller or shipper do not have a catalogue, then such wholesale market price may be based on the actual selling price or an average wholesale market price. The director in determining such average wholesale market price may use catalogues of various businesses licensed under the provisions of this chapter or any other reasonable method.

(2) Such assessment shall be due and payable (~~at the time the nursery dealer applies for a license or should have applied for a license as required in the provisions of this chapter~~) on the first day of July of each year.

(3) The gross sale period shall be from July 1 to June 30 of the previous license period.

Sec. 5. Section 8, chapter 33, Laws of 1971 ex. sess. and RCW 15.13.320 are each amended to read as follows:

An advisory committee is hereby established to advise the director in the administration of the fruit tree certification and nursery improvement program.

(1) The committee shall consist of (~~three~~) five fruit tree nurserymen (~~one pome fruit producer, and one stone fruit producer.~~) and the director or his designated appointee.

(2) The director shall appoint this committee from ~~((the following recommendations: Three))~~ names ~~((are to be))~~ submitted ~~((for each position:))~~ by the Washington state nurserymen's association ~~((is to submit names for the fruit tree nurserymen positions. The Washington state horticultural association is to furnish the names for the pome fruit producer and the stone fruit producer))~~.

(3) The terms of the members of the committee shall be staggered and the members shall serve a term of three years and until their successor has been appointed and qualified ~~((PROVIDED, That the first appointments to this committee beginning July 30, 1971, shall be for the following terms:~~

- ~~(a) Position no. 1 — fruit tree nurseryman, three year term.~~
- ~~(b) Position no. 3 — pome fruit producer, three year term.~~
- ~~(c) Position no. 2 — fruit tree nurseryman, two year term.~~
- ~~(d) Position no. 4 — stone fruit producer, one year term.~~
- ~~(e) Position no. 5 — fruit tree nurseryman, one year term).~~

In the event a committee member resigns, is disqualified, or vacates his position on the committee for any other reason the vacancy shall be filled by the director under the provisions of this section governing appointments.

NEW SECTION. Sec. 6. There is added to chapter 15.13 RCW a new section to read as follows:

An advisory committee is hereby established to advise the director in the administration of this chapter.

(1) The committee shall consist of the following members: The president, or an appointee designated by the president, of (a) the Washington state floricultural association, (b) the Washington state bulb association, and (c) the Washington state nursery association; and the director or his designated appointee.

(2) The terms of the members of the committee shall be the same as the terms of the officers for the association set forth in subsection (1) of this section.

NEW SECTION. Sec. 7. There is added to chapter 15.13 RCW a new section to read as follows:

(1) The director is hereby authorized to apply to the superior court of Thurston county for a prompt hearing on, and such court shall have jurisdiction upon, and for cause shown the court shall, without proof that an adequate remedy at law does not exist, grant, a temporary or permanent injunction restraining any person from operating as a nursery dealer without a valid license.

(2) An order restraining any person from operating as a nursery dealer without a valid license shall contain such provision for the payment of pertinent court costs and reasonable attorneys' fees and administrative expenses as is equitable and the court deems appropriate in the circumstances.

NEW SECTION. Sec. 8. Section 9, chapter 33, Laws of 1971 ex. sess. and RCW 15.13.330 are each repealed.\*

## MOTION

Senator Hansen moved the following amendment by Senators Hansen and Goltz be adopted:

On page 2, after line 4, insert the following:

\*Sec. 2. Section 36, chapter 7, Laws of 1975 1st ex. sess. and RCW 69.04.398 are each amended to read as follows:

The purpose of RCW 69.04.110, 69.04.392, 69.04.394, and 69.04.396 is to promote uniformity of state legislation and regulations with the Federal Food, Drug and Cosmetic Act 21 USC 301 et seq. and regulations adopted thereunder. In accord with such declared purpose any regulation adopted under said federal food, drug and cosmetic act concerning food in effect on July 1, 1975, and not adopted under any other specific provision of RCW 69.04.110, 69.04.392, 69.04.394, and 69.04.396 are hereby deemed to have been adopted under the provision hereof. Further, to promote such uniformity any regulation adopted hereafter under the provisions of the federal food, drug and cosmetic act concerning food and published in the federal register shall be deemed to have been adopted under the provisions of RCW 69.04.110, 69.04.392, 69.04.394, and 69.04.396 in accord with chapter 34.04 RCW as enacted or hereafter amended. The director may, however, within thirty days of the publication of the adoption of any such regulation under the federal food, drug and cosmetic act give public notice that a hearing will be held to determine if such regulation shall not be applicable under the provisions of RCW 69.04.110, 69.04.392, 69.04.394, and 69.04.396. Such hearing shall be in accord with the requirements of chapter 34.04 RCW as enacted or hereafter amended.

The director may, by rule, establish or amend definitions and standards for dairy products which exceed those standards set forth under the Federal Food, Drug and Cosmetic Act 21 U.S.C. 301 et seq. and regulations adopted thereunder.\*

## POINT OF INQUIRY

Senator McDermott: "Senator Hansen, this bill doesn't have any where in it--in the amendment or in the bill--any of that support business that we got into some years ago in the middle of the night?"

Senator Hansen: "None whatsoever. It's straight up."

Senator McDermott: "That puts my mind at rest. Thank you."

The President declared the question before the Senate to be adoption of the amendment by Senators Hansen and Goltz.

The motion by Senator Hansen carried and the amendment was adopted:

## MOTIONS

On motion of Senator Hansen the following title amendments were considered and adopted simultaneously:

On page 1, line 3 after ".180" insert "amending section 4, chapter 33, Laws of 1971 ex. sess. as amended by section 20, chapter 182, Laws of 1982 and RCW 15.13.280; amending section 7, chapter 33, Laws of 1971 ex. sess. and RCW 15.13.320; amending section 8, chapter 33, Laws of 1971 ex. sess. and RCW 15.13.320; adding new sections to chapter 15.13 RCW; and repealing section 9, chapter 33, Laws of 1971 ex. sess. and RCW 15.13.330".

On page 1, line 1 of the title, strike "commodity commissions; and" and insert "agriculture;"

On page 1, line 3 of the title after "15.28.180" and before the period insert "; and amending section 36, chapter 7, Laws of 1975 1st ex. sess. and RCW 69.04.398"

On motion of Senator Hansen, the rules were suspended, Engrossed Substitute Senate Bill No. 3864 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Lee: "Senator Hansen, I just now had the opportunity to get through the amendments that you offered that increased the license fee for the nursery dealers who sell horticultural plants and from what I understand this increases it from a one-time fee of twenty-five dollars to a fee of one hundred dollars a year."

Senator Hansen: "I think you'll find it was twenty-five dollars per year and it was raised to a hundred dollars per year."

Senator Lee: "Now, over here on the second page, when we're talking about the assessment--that's the one percent assessment that you are talking about that used to be--"

Senator Hansen: "Senator Lee, up to date, the nursery stockmen have been raising this root stock that they transplant the balance of the tree on. There has been no regulation on that at all, so we've got some nurserymen that haven't been using the best stock. This will make the tree nurserymen in the state bring all of the products up to a standard that we can be proud to have sold in the state of Washington."

Senator Lee: "I guess what I want to know is whether this applies only to nursery growers who are in the fruit tree and root stock business or if it includes all nurseries, including those who grow bedding plants and so on--as far as the license fees?"

Senator Hansen: "I don't believe it covers those folks. This is for the fruit tree industry."

Senator Lee: "I am concerned that we are not putting a very onerous fee upon the entire rate. For example, those that grow bedding plants and only work part of the year."

Senator Hansen: "That isn't the intent of this bill."

Senator Lee: "I appreciate hearing that and if it's all right with you, Senator Hansen, I would like to look at this bill further when we get it over to the House and if there's any problem it will be taken care of."

Senator Hansen: "Thank you."

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3864.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 3864, and the bill passed the Senate by the following vote: Yeas, 42; nays, 5; excused, 2.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody - 42.

Voting nay: Senators Craswell, McCaslin, Metcalf, Pullen, Zimmerman - 5.

Excused: Senators Bauer, Rasmussen - 2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3864, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate resumed consideration of Engrossed Substitute Senate Bill No. 3838, deferred earlier today.

## REMARKS BY SENATOR McMANUS

Senator McManus: "Thank you, Mr. President and members of the Senate. In response to Senator Hayner's question, Senator Hayner is correct. There is reciprocity and there is a grandfathers clause, but the clause is only in effect for twelve months. At that time, everyone who wants to become licensed will have to take the examination prepared by the board. As far as the grandfathering is concerned, it does require the credentials and the experience, so there is a twelve month--I checked with my committee director and he tells me that in the health care professional licensing area, this is very customary and standard, so I would urge your support of this bill."

## POINT OF INQUIRY

Senator Deccio: "Senator McManus, I just want to repeat the question that I asked in committee, so that we do get it on the record that this bill in no way precludes those people who are--for example--working for the Salvation Army that could be called social workers--the people who work for Cancer Outreach, for example--those volunteers--none of those people would be affected--nor would they be required to be licensed in order to continue to do what they are doing."

Senator McManus: "That is correct, Senator Deccio. Anybody that calls themselves a social worker and is working in the social workers field can continue to do so without any problem. This merely licenses six-year students from the universities who have two years of graduate work."

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3838.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 3838, and the bill passed the Senate by the following vote: Yeas, 37; nays, 10; excused, 2.

Voting yea: Senators Bender, Benitz, Bottiger, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Owen, Patterson, Peterson, Quigg, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 37.

Voting nay: Senators Barr, Bluechel, Clarke, Craswell, Guess, Haley, McCaslin, Newhouse, Pullen, Sellar - 10.

Excused: Senators Bauer, Rasmussen - 2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3838, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate resumed consideration of Engrossed Substitute Senate Bill No. 3273, deferred April 28, 1983.

## RULING BY THE PRESIDENT

President Cherberg: "In ruling on the point of order raised by Senator Newhouse, the President finds that Engrossed Substitute Senate Bill No. 3273 is a



measure which empowers the Washington Radioactive Waste Commission as the sole recipient of federal funds given for impact assistance to the state regarding all phases of high-level waste repository siting.

"The President finds that Engrossed Substitute Senate Bill No. 3273 comes within the provisions of subsection 3 of House Concurrent Resolution No. 23 and, therefore, is properly before the Senate."

## MOTION

On motion of Senator Newhouse, and there being no objection, the point of order raised on the striking amendment by Senator Williams was withdrawn.

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

## MOTION

Senator Pullen moved adoption of the following amendment to the amendment:

On page 8, line 36, before subatomic insert atomic or

Debate ensued.

## POINT OF INQUIRY

Senator McCaslin: "Senator Pullen, I guess the question that I'd like to ask you is do atomic particles fit into the ionizing radiation, which I assume is the question here?"

Senator Pullen: "Most of the subatomic particles that we've been talking about would be included in some of the ones that are listed there. The atomic particles are usually partially ionized. In other words, the atomic particles may be nuclide themselves, which may have one or more of their electrons stripped away but they would still be considered atomic particles. I think, more accurately than subatomic particles which, I think, is intended to talk more about the basic components of the atom."

## POINT OF INQUIRY

Senator Haley: "Senator Pullen, these other particles referring back to the particles mentioned here, is an alpha and a beta particle an atomic or subatomic particle?"

Senator Pullen: "An alpha particle would be an atomic particle in my definition. A beta particle would be a subatomic particle."

Senator Haley: "What about a proton?"

Senator Pullen: "The proton could be considered either an atomic particle or a subatomic particle. If you were considering it as part of the hydrogen atom, it would be an atomic particle, but if you were considering it as part of the nucleus of another atom it would be a subatomic particle."

## POINT OF INQUIRY

Senator Deccio: "Senator McCaslin, if you understood what Senator Pullen explained to you, the question you asked him, would you explain it to me?"

Senator McCaslin: "No, but I'll have Senator Pullen explain it to you."

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

The motion by Senator Pullen carried and the amendment to the amendment was adopted.

## MOTION

On motion of Senator Newhouse the following amendment to the amendment was adopted:

On page 5, line 20, after "tribe" strike "shall" and insert "may"

The President declared the question before the Senate to be adoption of the Williams amendment, as amended.

The motion by Senator Williams carried and the amendment, as amended, was adopted.

## MOTIONS

On motion of Senator Williams, the following title amendment was adopted:

On page 1, line 1 of the title, after "waste;" strike the remainder of the title and insert "amending section 3, chapter 207, Laws of 1961 as last amended by section 125, chapter 141, Laws of 1979 and RCW 70.98.030; adding a new chapter to Title 43 RCW; creating new sections; repealing section 12, chapter 295, Laws of 1981 and RCW 43.21F.075; and declaring an emergency."

On motion of Senator Williams, the rules were suspended, Engrossed Substitute Senate Bill No. 3273 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Barr: "Senator Williams, on page 2, section 3, that short paragraph there kind of bothers me a little bit. Maybe you could kind of clarify what it means. It says 'all the departments, all agencies, all officers of this state and its subdivisions shall cooperate with the Department of Ecology.' We are giving the Department of Ecology, this session, an awful lot--in solid waste, in hazardous waste, in air pollution and now this--and then we say 'that all agencies shall cooperate.' Could you clarify that a little bit?"

Senator Williams: "My assumption is that that is general language which alerts all other agencies of the state to cooperate in essence with this agency because it's a policy of the legislature that this agency is designated as the agency that will, in fact, have this responsibility. I suspect that this kind of language exists throughout our statutes in relation to other agencies and their rolls. I don't know that for a fact, but I suspect that it's basically one of those requiring cooperation between agencies."

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3273.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 3273, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vogtild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 47.

Excused: Senators Bauer, Rasmussen - 2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3273, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SIGNED BY THE PRESIDENT

The President signed:  
SENATE BILL NO. 3314.

## SIGNED BY THE PRESIDENT

The President signed:  
SUBSTITUTE SENATE BILL NO. 3372,  
SENATE BILL NO. 3784.

## MOTION

At 2:53 p.m., on motion of Senator Shinpoch, the Senate adjourned until 10:00 a.m., Wednesday, May 4, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

## TENTH DAY

---

### MORNING SESSION

---

Senate Chamber, Olympia, Wednesday, May 4, 1983

The Senate was called to order at 10:00 a.m. by President Pro Tempore Goltz. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senators Bauer, McDermott and von Reichbauer. On motion of Senator Bluechel, Senator von Reichbauer was excused. On motion of Senator Vognild, Senators Bauer and McDermott were excused.

The Sergeant at Arms Color Guard, consisting of Pages Shelly Quinlan and Roxanne Armstrong, presented the Colors. Reverend Wallace F. Misterek, pastor of Trinity Lutheran Church of Olympia, offered the prayer.

#### MOTION

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

#### REPORTS OF STANDING COMMITTEES

May 3, 1983

SB 4007 Prime Sponsor, Senator McDermott: Relating to public funds. Reported by Committee on Ways and Means

MAJORITY recommendation: That Substitute Senate Bill No. 4007 be substituted therefor, and the substitute bill do pass. Signed by Senators Gaspard, Vice Chairman; Bottiger, Fleming, Lee, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Wojahn, Zimmerman.

Passed to Committee on Rules for second reading.

May 3, 1983

SHB 251 Prime Sponsor, Representative Sayan: Reported by Committee on Ways and Means

Establishing the state employment and conservation corps. MAJORITY recommendation: Do pass as amended. Signed by Senators Gaspard, Vice Chairman; Bottiger, Deccio, Fleming, Lee, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Wojahn, Zimmerman.

Passed to Committee on Rules for second reading.

May 3, 1983

HB 595 Prime Sponsor, Representative Ellis: Establishing the East Selah reregulating reservoir project. Reported by Committee on Ways and Means

MAJORITY recommendation: Do pass. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman; Bottiger, Deccio, Fleming, Hayner, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Wojahn, Zimmerman.

Passed to Committee on Rules for second reading.

May 3, 1983

EHB 1094 Prime Sponsor, Representative Moon: Relating to local government. Reported by Committee on Energy and Utilities

MAJORITY recommendation: Do pass as amended. Signed by Senators Williams, Chairman; Benitz, Fuller, Goltz, Hemstad, Quigg.

MINORITY Recommendation: Do not pass as amended. Signed by Senators Hurley and Moore

Passed to Committee on Rules for second reading.

## MOTION

On motion of Senator Shinpoch, the rules were suspended and Senate Bill No. 4007, Substitute House Bill No. 251, House Bill No. 595 and Engrossed House Bill No. 1094 were advanced to second reading and placed on the second reading calendar.

## MESSAGES FROM THE HOUSE

May 3, 1983

Mr. President:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 26, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 3, 1983

Mr. President:

The House has passed:

SUBSTITUTE SENATE BILL NO. 3372,

SENATE BILL NO. 3784, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 3, 1983

Mr. President:

The House concurred in the Senate amendments to HOUSE BILL NO. 420 and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

## INTRODUCTION AND FIRST READING OF HOUSE BILL

HCR 26 by Representatives Heck and G. Nelson

Convening a joint session to receive the Governor's message on the current situation regarding WPPSS.

## MOTIONS

On motion of Senator Shinpoch, the rules were suspended, House Concurrent Resolution No. 26 was advanced to second reading and read the second time.

On motion of Senator Bottiger, the rules were suspended, House Concurrent Resolution No. 26 was advanced to third reading, the second reading considered the third and the resolution was adopted.

There being no objection, the Senate resumed consideration of Engrossed House Bill No. 399, deferred May 2, 1983.

## RULING BY THE PRESIDENT

(and read by the President Pro Tempore)

President Pro Tempore Goltz: "In ruling upon the point of order raised by Senator Rasmussen, the President finds that Engrossed House Bill No. 399 is a measure which modifies the law dealing with market price indexing in state timber sale contracts.

"The amendment proposed by Senator Owen enables purchasers of certain state timber sale contracts to default on the contracts if the purchasers can prove financial hardship and that they were not aware of the default relief provisions enacted in 1982.

"The President, therefore, find that the proposed amendment does expand the scope and object of the bill and that the point of order is well taken."

The amendment was ruled out of order.

## MOTION

On motion of Senator Shinpoch, further consideration of Engrossed House Bill No. 399 was deferred.

There being no objection, the President Pro Tempore advanced the Senate to the seventh order of business.

## THIRD READING

ENGROSSED HOUSE BILL NO. 2, by Representatives Todd, Barnes, D. Nelson, Armstrong, Hine, Wang, Vekich, Charnley, Rust, Jacobsen, Crane and Lux

Requiring energy-efficient standards for buildings.

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

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed House Bill No. 2, as previously amended by the Senate.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed House Bill No. 2, as previously amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 30; nays, 16; excused, 3.

Voting yea: Senators Bender, Bluechel, Bottiger, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Haley, Hayner, Hemstad, Hughes, Hurley, Kiskaddon, McManus, Moore, Owen, Patterson, Quigg, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Warnke, Williams, Wojahn, Woody, Zimmerman - 30.

Voting nay: Senators Barr, Benitz, Clarke, Craswell, Deccio, Guess, Hansen, Jones, Lee, McCasin, Metcalf, Newhouse, Peterson, Pullen, Rasmussen, Vognild - 16.

Excused: Senators Bauer, McDermott, von Reichbauer - 3.

ENGROSSED HOUSE BILL NO. 2, as previously 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 President Pro Tempore returned the Senate to the sixth order of business.

There being no objection, the Senate resumed consideration of Engrossed House Bill No. 399, deferred earlier today.

## MOTIONS

On motion of Senator Owen, the following amendment by Senators Owen and Vognild was adopted:

On page 2, line 20, after "1983" insert "and shall cease to be effective October 1, 1987"

On motion of Senator Owen, the rules were suspended, Engrossed House Bill No. 399, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed House Bill No. 399, as amended by the Senate.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed House Bill No. 399, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 39; nays, 7; excused, 3.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCasin, McManus, Metcalf, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Sellar, Vognild, Williams, Wojahn, Woody, Zimmerman - 39.

Voting nay: Senators Moore, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Warnke - 7.

Excused: Senators Bauer, McDermott, von Reichbauer - 3.

ENGROSSED HOUSE BILL NO. 399, 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 President Pro Tempore advanced the Senate to the seventh order of business.

## THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4099, by Committee on Ways and Means (originally sponsored by Senators Rinehart and Shinpoch) (by Joint Select Committee on Sunset request)

Providing for the review of certain tax preferences.

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

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 4099.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 4099, and the bill passed the Senate by the following vote: Yeas, 28; nays, 17; absent, 1; excused, 3.

Voting yea: Senators Bender, Bottiger, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Moore, Owen, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Williams, Wojahn, Woody - 28.

Voting nay: Senators Barr, Benitz, Bluechel, Clarke, Craswell, Deccio, Guess, McCaslin, McManus, Metcalf, Newhouse, Patterson, Pullen, Quigg, Sellar, Warnke, Zimmerman - 17.

Absent: Senator Hayner - 1.

Excused: Senators Bauer, McDermott, von Reichbauer - 3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4099, having received the 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

SECOND SUBSTITUTE HOUSE BILL NO. 226, by Committee on Ways and Means (originally sponsored by Representatives Ristuben, Ellis, Martinis, Tanner, Armstrong, B. Williams, Fisher, Locke, Halsan, McMullen, Fisch, R. King, Zellinsky, Smitherman, Gallagher, Todd, Haugen, Appelwick, P. King, Braddock, D. Nelson, Brække, Vekich, Wang, Powers, Rust, Charnley, Ebersole, Hine, Galloway, Isaacson, Tilly, Garrett, Holland, Lewis, Johnson, Schoon, Stratton and Brough)

Providing for the establishment of export assistance centers.

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

Debate ensued.

## MOTIONS

On motion of Senator Bottiger, further consideration of Second Substitute House Bill No. 226 was deferred.

At 10:40 a.m., on motion of Senator Bottiger, the Senate recessed until 11:40 a.m.

## SECOND MORNING SESSION

The Senate was called to order at 11:40 a.m. by President Pro Tempore Goltz.

There being no objection, the President Pro Tempore returned the Senate to the fourth order of business.

## MESSAGE FROM THE HOUSE

May 3, 1983

Mr. President:

The House refuses to recede from its amendments to ENGROSSED SENATE BILL NO. 3858 and asks the Senate for a conference thereon, and the Speaker has appointed the following members as conferees: Representatives Moon, Charnley and Van Dyken.

DEAN R. FOSTER, Chief Clerk

## MOTION

On motion of Senator Thompson, the request of the House for a conference on Engrossed Senate Bill No. 3858 and the House amendments thereto was granted.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President Pro Tempore appointed as members of the Conference Committee on Engrossed Senate Bill No. 3858 and the House amendments thereto: Senators Benitz, Thompson and Granlund.

## MOTION

On motion of Senator Shinpoch, the Conference Committee appointments were confirmed.

## MESSAGE FROM THE HOUSE

May 3, 1983

Mr. President:

The House refuses to recede from its amendments to SUBSTITUTE SENATE BILL NO. 4137 and asks the Senate for a conference thereon, and the Speaker has appointed the following members as conferees: Representatives Niemi, Dellwo and Lewis.

DEAN R. FOSTER, Chief Clerk

## MOTION

On motion of Senator Granlund, the request of the House for a conference on Substitute Senate Bill No. 4137 and the House amendments thereto was granted.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President Pro Tempore appointed as members of the Conference Committee on Engrossed Senate Bill No. 4137 and the House amendments thereto: Senators Pullen, Owen and Granlund.

## MOTION

On motion of Senator Newhouse, the Conference Committee appointments were confirmed.

## MESSAGE FROM THE HOUSE

May 3, 1983

Mr. President:

The House refuses to concur in the Senate amendments to ENGROSSED HOUSE BILL NO. 74 and asks the Senate for a conference thereon, and the Speaker has appointed the following members as conferees: Representatives Moon, Ebersole and Brough.

DEAN R. FOSTER, Chief Clerk

## MOTION

On motion of Senator Thompson, the request of the House for a conference on Engrossed House Bill No. 74 and the Senate amendments thereto was granted.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President Pro Tempore appointed as members of the Conference Committee on Engrossed House Bill No. 74 and the Senate amendments thereto: Senators Zimmerman, Thompson and Bauer.

## MOTION

On motion of Senator Shinpoch, the Conference Committee appointments were confirmed.

## MESSAGE FROM THE HOUSE

May 3, 1983

Mr. President:

The House refuses to concur in the Senate amendments to ENGROSSED HOUSE BILL NO. 239 and asks the Senate for a conference thereon, and the Speaker has appointed the following members as conferees: Representatives Pruitt, Sommers and Miller.

DEAN R. FOSTER, Chief Clerk

## MOTION

On motion of Senator Talmadge, the request of the House for a conference on Engrossed House Bill No. 239 and the Senate amendments thereto was granted.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President Pro Tempore appointed as members of the Conference Committee on Engrossed House Bill No. 239 and the Senate amendments thereto: Senators Clarke, Hughes and Talmadge.

## MOTION

On motion of Senator Shinpoch, the Conference Committee appointments were confirmed.

## MESSAGE FROM THE HOUSE

May 3, 1983

Mr. President:

The House refuses to recede from its amendments to ENGROSSED HOUSE BILL NO. 428 and asks the Senate for a conference thereon, and the Speaker has appointed the following members as conferees: Representatives Crane, Dellwo and Padden.

DEAN R. FOSTER, Chief Clerk

## MOTION

On motion of Senator Talmadge, the request of the House for a conference on Engrossed House Bill No. 428 and the House amendments thereto was granted.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President Pro Tempore appointed as members of the Conference Committee on Engrossed House Bill No. 428 and the House amendments thereto: Senators Hemstad, Hughes and Talmadge.

## MOTION

On motion of Senator Shinpoch, the Conference Committee appointments were confirmed.

There being no objection, the President Pro Tempore returned the Senate to the first order of business.

## REPORT OF STANDING COMMITTEE

May 3, 1983

ESHB 181 Modifying provisions regarding public lands. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass as amended. Signed by Senators Owen, Chairman; Peterson, Vice Chairman; Fuller, Metcalf, Quigg, Shinpoch, Vognild.

## MOTIONS

On motion of Senator Shinpoch, the rules were suspended, Engrossed Substitute House Bill No. 181 was advanced to second reading and placed on the second reading calendar.

On motion of Senator Shinpoch, further consideration of Engrossed Substitute House Bill No. 181 was deferred.

On motion of Senator Shinpoch, the Senate advanced to the fourth order of business.

## MESSAGE FROM THE HOUSE

May 3, 1983

Mr. President:

The House has passed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3085 with the following amendments:

On page 2, beginning on line 13 strike all material through "(3)" on line 16 and insert the following:



~~"(2) (Additional benefits are payable to otherwise eligible persons who have exhausted extended benefits on their most recent claim after July 1, 1980.~~

(3)"

On page 6, line 9 after "50.44.010" insert "and 50.44.030".

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Vognild, the Senate concurred in the House amendments to Engrossed Second Substitute Senate Bill No. 3085.

Debate ensued.

#### MOTION

On motion of Senator Bottiger, further consideration of Engrossed Second Substitute Senate Bill No. 3085, as amended by the House, was deferred.

#### MESSAGE FROM THE HOUSE

April 29, 1983

Mr. President:

The House has passed SENATE BILL NO. 3090 with the following amendments:

On page 3, after line 23, insert new sections to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 43.88 RCW a new section to read as follows:

Prior to January 15 of each year, each state agency shall separately itemize and submit to the secretary of the senate and chief clerk of the house any expenditures required to be made by the agency under any federal court order. The secretary and chief clerk shall transmit this information to the appropriate standing committees. In each instance, the legislature shall review the expenditures mandated by the federal court order with a view to determining whether the program affected by the court order should be continued or eliminated and funds for the program either appropriated or not appropriated accordingly.

NEW SECTION. Sec. 3. Section 2 of this act shall be submitted to the people for their adoption and ratification, or rejection, at the next succeeding general election to be held in this state, in accordance with Article II, section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof."

Renumber the remaining sections consecutively.

On page 3, following line 25, insert:

"NEW SECTION. Sec. 3. There is added to chapter 43.88 a new section to read as follows:

The optional budget appendix containing a proposal for expenditures in the ensuing fiscal period from revenue sources derived from proposed changes in existing statutes shall be no more detailed than the required budget document setting forth a proposal for expenditures in the ensuing fiscal period based upon anticipated revenues for such fiscal period based upon anticipated revenues for such fiscal period from the source and at the rates existing by law at the time of submission of the budget document."

On page 3, line 29, after "immediately" insert ", except section 2 of this act which shall take effect July 1, 1983"

On page 3, line 29, after "immediately," insert "This section shall not apply to section 2 of this act."

On page 1, line 3, after "43.88;" insert "adding a new section to chapter 43.88 RCW;" and on page 1, line 4, after "43.88.113;" insert "providing for submission of a section of this act to a vote of the people;"

On page 1, line 4 of the title, after "RCW 43.88.113;" insert "providing an effective date;"

On page 1, following line 4 insert: "adding a new section to chapter 43.88 RCW;"

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Talmadge, the Senate insists on its position on Senate Bill No. 3090 and asks the House to recede therefrom.

#### MESSAGE FROM THE HOUSE

May 2, 1983

Mr. President:

The House has passed ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 113 with the following amendments:

On page 1, line 10, strike "nominate" and insert "appoint"

On page 1, line 14, strike "nominate" and insert "appoint"

On page 1, line 20, after "held" strike "within sixty days of the adoption of this resolution" and insert "no later than twenty days thereafter"

On page 1, line 28, after "to" insert "facilitate the implementation of recommendations made by the cost control task force created by 1983 law, to audit the implementation of such recommendations, to submit a report of its audit to the legislature prior to December 31, 1984, and to further"

On page 2, line 18, strike "January 1, 1985" and insert "December 31, 1984".

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTIONS

On motion of Senator Warnke, the Senate concurred in the House amendments to Engrossed Substitute Senate Concurrent Resolution No. 113.

On motion of Senator Shinpoch, further consideration of Engrossed Substitute Senate Concurrent Resolution No. 113 was deferred.

On motion of Senator Shinpoch, the Senate resumed consideration of Engrossed Second Substitute Senate Bill No. 3085, deferred earlier today.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed Second Substitute Senate Bill No. 3085, as amended by the House.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Second Substitute Senate Bill No. 3085, as amended by the House, and the bill passed the the Senate by the following vote: Yeas, 47; nays, 1; absent, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 47.

Voting nay: Senator Craswell - 1.

Absent: Senator Conner - 1.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3085, 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 Senate resumed consideration of Engrossed Substitute Senate Concurrent Resolution No. 113, deferred earlier today.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Concurrent Resolution No. 113, as amended by the House.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Concurrent Resolution No. 113, as amended by the House, and the resolution passed the Senate by the following vote: Yeas, 26; nays, 21; absent, 2.

Voting yea: Senators Barr, Bauer, Bender, Bottiger, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McDermott, McManus, Moore, Owen, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 26.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Newhouse, Patterson, Pullen, Quigg, Sellar, von Reichbauer, Zimmerman - 21.

Absent: Senators Conner, Metcalf - 2.

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 113, as amended by the House, having received constitutional majority, was declared passed.

#### MOTIONS

On motion of Senator Shinpoch, all measures passed this morning were ordered immediately transmitted to the House.

At 12:01 p.m., on motion of Senator Shinpoch, the Senate recessed until 1:30 p.m.

## AFTERNOON SESSION

The Senate was called to order at 1:30 p.m. by President Cherberg.

## MESSAGES FROM THE HOUSE

May 4, 1983

Mr. President:

The House has passed:

SUBSTITUTE SENATE BILL NO. 3538, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 3, 1983

Mr. President:

The House refuses to recede from its amendments to SUBSTITUTE SENATE BILL NO. 3520 and once again asks the Senate to concur therein, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## MOTION

Senator Thompson moved that the Senate do concur in the House amendments to Substitute Senate Bill No. 3520.

## POINT OF ORDER

Senator Pullen: "A point of order, Mr. President. The House amendments thoroughly expand the scope and object of the bill and I think the President capriciously ruled on this same point of order--and I believe the President did rule that the amendments expanded the scope and object of the bill."

Debate ensued.

## REPLY BY THE PRESIDENT

President Cherberg: "The Secretary has been recording whether or not scope and object has been raised on a measure, but nothing is indicated on the back of this bill. However, the President believes that this will necessitate some time to check out."

## MOTION

On motion of Senator Bottiger, further consideration of Substitute Senate Bill No. 3520 was deferred.

## MOTION

Senator Hemstad: "Mr. President, pursuant to Rule 48, I move that the Rules Committee and any other standing committee presently in possession of any gubernatorial confirmations be relieved of those confirmations and that they be placed at the top of the third reading calendar. I'd like to speak to the motion."

## REPLY BY THE PRESIDENT

President Cherberg: "Would you please repeat your motion, Senator Hemstad?"

Senator Hemstad: "I move that the Rules Committee and any other standing committee presently in possession of any gubernatorial confirmations be relieved of those confirmations and that they be placed at the top of the third reading calendar."

## REMARKS BY SENATOR BOTTIGER

Senator Bottiger: "Mr. President, what order of business are we on?"

## REPLY BY THE PRESIDENT

President Cherberg: "Fourth order of business, Senator Bottiger."

Senator Bottiger: "Mr. President, is that a proper motion to make on the fourth order of business?"

Senator Hemstad: "Mr. President, speaking to the inquiry on Rule 48, I submit that it is proper at any time to move that the committee be relieved of the bill and

that it be brought before the Senate as a whole. I cite, even yesterday, when Senator Bottiger, himself, moved to relieve the Rules Committee of bills and bring them to the floor of the Senate at that time."

#### REPLY BY THE PRESIDENT

President Cherberg: "Senator Hemstad and Senator Bottiger, the President believes that Senator Bottiger's point is well taken and that the motion should be made on the eighth order of business, instead of presently on the fourth order."

Senator Hemstad: "If I make an inquiry--will we come to the eighth order of business today?"

Senator Bottiger: "If we can get back to work, Senator Hemstad, and get some of these necessary bills out we will move to the eighth order of business."

#### MOTION

Senator Hemstad moved that the Senate advance to the eighth order of business.

Debate ensued.

Senator Shinpoch demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Hemstad to advance to the eighth order of business.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Hemstad failed by the following vote: Yeas, 22; nays, 24; absent, 03; excused, 00.

Voting yea: Senators Barr, Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Pullen, Quigg, Sellar, von Reichbauer, Zimmerman - 22.

Voting nay: Senators Bauer, Bender, Bottiger, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McDermott, McManus, Moore, Owen, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 24.

Absent: Senators Conner, Fleming, Patterson - 3.

#### POINT OF INQUIRY

Senator Hayner: "Senator Bottiger, is it your intention to have the gubernatorial appointments out here for our consideration as is our constitutional requirement of the Senate?"

Senator Bottiger: "Senator Hayner, we have a January session coming up to consider gubernatorial appointments. You are fully aware that our side is disturbed about the Governor playing with switching of appointees on one particular commission. We've asked him to back off on that and go back to the old custom, so that a new Governor coming in would have the authority to make changes in major departments--mainly the Utilities and Transportation Commission.

"He does not see fit to make that change. He wants to insist on playing politics with that commission and we are trying to make a point with him that there is the power within the Senate to resist that."

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

#### SECOND READING

SENATE BILL NO. 3044, by Senators Gaspard, Metcalf and Goltz

Exempting military personnel and their spouses and dependent children from nonresident tuition and fee differentials.

The bill was read the second time.

#### MOTIONS

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

On page 1, line 22, after "spouse and" strike "dependent children" and insert "dependents"

Senator Gaspard moved that the following amendment be adopted:

On page 1, after line 27, insert the following:

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

Debate ensued.

#### POINT OF INQUIRY

Senator Kiskaddon: "Senator Rinehart, would you see the effect of the emergency clause to mean that since we're in the middle of the quarter that the schools would have to go back and adjust the tuition for this quarter?"

Senator Rinehart: "No."

Senator Gaspard demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on adoption of the amendment by Senator Gaspard.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Gaspard carried and the amendment was adopted by the following vote: Yeas, 27; nays, 22; absent, 00; excused, 00.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McDermott, McManus, Moore, Owen, Patterson, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 27.

Voting nay: Senators Barr, Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Pullen, Quigg, Sellar, von Reichbauer, Zimmerman - 22.

#### MOTION

Senator Hansen moved that the following amendment be adopted:

On page 1, after line 23, insert:

"(4) Any person residing in the state of Washington solely for the purpose of participating in a federal job corps program."

#### POINT OF ORDER

Senator Clarke: "Thank you, Mr. President. I raise the question of scope and object on the amendment. The bill as introduced relates exclusively to military personnel and this would extend it to a completely new and different category."

#### MOTION

On motion of Senator Shinpoch, further consideration of Senate Bill No. 3044 was deferred.

President Pro Tempore Goltz assumed the chair.

There being no objection, the Senate resumed consideration of House Bill No. 72, deferred May 3, 1983.

#### MOTION

On motion of Senator Gaspard, the following amendment by Senators Gaspard and Rasmussen was adopted:

On page 12, after line 19, insert the following:

"Sec. 8. Section 82.04.100, chapter 15, Laws of 1961 as amended by section 2, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.100 are each amended to read as follows:

"Extractor" means every person who from his or her own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services, for sale or for commercial or industrial use mines, quarries, takes or produces coal, oil, natural gas, ore, stone, sand, gravel, clay, mineral or other natural resource product, or fells, cuts or takes timber, Christmas trees or other natural products, or takes, cultivates, or raises fish, shellfish, or other sea or inland water foods or products. ((H)) "Extractor" does not include persons performing under contract the necessary labor or mechanical services for others or persons cultivating or raising fish in or taking fish from fresh water on their own land.

Sec. 9. Section 82.04.330, chapter 15, Laws of 1961 as amended by section 7, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.330 are each amended to read as follows:

This chapter shall not apply to any person in respect to the business of growing or producing for sale upon his own lands or upon land in which he has a present right of possession, any agricultural or horticultural produce or crop, including the raising for sale of any animal, bird, or insect, or the milk, eggs, wool, fur, meat, honey, or other substance obtained therefrom, or in respect to the sale of such products at wholesale by such grower, producer, or raiser thereof. This exemption shall not apply to any person selling such products at retail or using such products as ingredients in a manufacturing process; nor to the sale of any animal or substance obtained therefrom by a person in connection with his business of operating a stockyard

or a slaughter or packing house; nor to any person in respect to the business of taking, cultivating, or raising Christmas trees or timber; nor to any association of persons whatever, whether mutual, cooperative or otherwise, engaging in any business activity with respect to which tax liability is imposed under the provisions of this chapter.

This chapter shall also not apply to any person in respect to the business of cultivating or raising fish in or taking fish from fresh water on his or her own land.

NEW SECTION. Sec. 10. There is added to chapter 82.08 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales of feed used for cultivating or raising fish in fresh water on one's own land.

NEW SECTION. Sec. 11. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply in respect to the use of feed for cultivating or raising fish in fresh water on one's own land."

Renumber the remaining sections consecutively and correct any internal references accordingly.

#### MOTION

Senator Fuller moved that the following amendments be considered simultaneously and adopted:

On page 4, after line 28, insert:

"Sec. 3. Section 82.04.250, Chapter 15, Laws of 1961 as last amended by Section 2, Chapter 172, Laws of 1981 and RCW 82.04.250 are each amended as follows:

Upon every person except persons taxable under RCW 82.04.260 (8) and (14) engaging within this state in the business of making sales at retail, as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the rate of forty-four one-hundredths of one percent."

Renumber the remaining sections accordingly.

On page 7, after line 28, insert:

"(14) Upon every person engaging in the business of selling at retail perishable meat products which are exempt from sales tax pursuant to RCW 82.08.0293 and which have been slaughtered, broken and/or processed by such person, the amount of such tax with respect to such business shall be equal to the gross proceeds derived from such sales multiplied by the rate of thirty-three one-hundredths of one percent."

#### POINT OF INQUIRY

Senator McDermott: "Senator Fuller, can you tell me the fiscal impact of this?"

Senator Fuller: "No, I can't. It's been in practice for some years for the store to have the .33 rate instead of the .44. I don't know the total impact."

Senator McDermott: "So you're putting up an amendment that you don't know the cost of, but you know it gives away some money?"

Senator Fuller: "It does not give away money. It maintains some of those practices already in place."

Further debate ensued.

Senator Fuller demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on adoption of the amendments by Senator Fuller.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Fuller carried and the amendments were adopted by the following vote: Yeas, 26; nays, 22; absent, 01; excused, 00.

Voting yea: Senators Barr, Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, McManus, Metcalf, Newhouse, Owen, Patterson, Pullen, Quigg, Sellar, von Reichbauer, Zimmerman - 26.

Voting nay: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goitz, Granlund, Hughes, Hurley, McDermott, Moore, Peterson, Rasmussen, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 22.

Absent: Senator Rinehart - 1.

#### MOTION

Senator Hansen moved that the following amendment be adopted:

On page 5, line 35, after "of" strike "thirty-three one-hundredths" and insert "(Thirty-three one-hundredths) one-eighth"

## POINT OF INQUIRY

Senator McDermott: "Senator Hansen, do you have anything in writing from Iowa Feed--that if we grant them this tax exemption, they'll stay?"

Senator Hansen: "Yes, they'll stay--sure. This is what's driving them out."

Senator McDermott: "Have they put that in writing?"

Senator Hansen: "I personally don't have it put into writing, but this is the one thing that's breaking their back and if we reduced this to one-eighth, we're a whole lot better off with an eighth than we are with zero."

Further debate ensued.

## POINT OF INQUIRY

Senator Haley: "Senator Deccio, you are talking about Washington Beef and I'm curious to know about the employees at Washington Beef. Why would it be such a strain upon them?"

## POINT OF ORDER

Senator Shinpoch: "Mr. President, we have a rule that specifically asks or prohibits one member asking a question of another member in order to get to bypass the three-minute rule--a one time speaking three-minute rule."

## REMARKS BY SENATOR CLARKE

Senator Clarke: "My impression is that the ruling has been that the time is charged to the person asking the question and that person would have a right to use that time. It's not yielding time--it's the person seeking information that has the right to ask the question. I think that's been the ruling of the chair previously."

## REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Goltz: "That is correct. If the intent of the questioner was to seek information, he would be within the rule. If he is extending the time of the previous speaker, he would not be within the rule. I will have to rule on Senator Haley's judgment when he asked the question."

Senator Shinpoch: "Well, my point of order is that we have a rule that Senator Deccio attempted to speak the second time. You ruled him out of order. Senator Haley, who sits within six feet of him, then gets up to ask him a question. We have a rule that specifically prohibits that, now, who makes the judgment about whether he's seeking information from six feet away or whether he's extending Senator Deccio's time?"

## REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Goltz: "I believe your point of order is well taken, Senator Shinpoch. I will not recognize Senator Haley for that purpose."

## POINT OF ORDER

Senator Rasmussen: "Mr. President, my point of order is--and it may happen to me--though usually they are very cordial about it on the other side, if Senator Deccio has only used a minute in his speech, is he allowed two minutes further to answer a question? I think that we are allowed the full three minutes and I don't know whether we have a special time keeper to determine whether or not we use our full three minutes."

## REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore: "I will read the rule that we're operating under. The rule is that 'members of the Senate be allowed to speak only once and be limited to three minutes on each motion or amendment, except that the mover of the amendment shall be allowed to open and close debate and also that members be prohibited from yielding their time.' Any further remarks?"

## PARLIAMENTARY INQUIRY

Senator Quigg: "A point of parliamentary inquiry, Mr. President. How far must one member be away from another member before the second one to inquire of the first on a point of information?"

## REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Goltz: "Only within the bar of the Senate, Senator Quigg."

The President Pro Tempore declared the question before the Senate to be adoption of the amendment by Senator Hansen.

The motion by Senator Hansen carried and the amendment was adopted.

## MOTION

Senator Hansen moved the following amendment be adopted:

On page 12, after line 19, insert the following:

NEW SECTION, Sec. 8. There is added to chapter 82.08 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 shall not apply to the lease of irrigation equipment by owners of real property to others for use in conducting farming operations on land owned by the lessor if the lessor has paid the tax imposed by this chapter at the time of purchase of the irrigation equipment.

NEW SECTION, Sec. 9. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply to the use of irrigation equipment leased by owners of real property to others for use in conducting farming operations on land owned by the lessor if the lessor has paid the tax imposed by RCW 82.08.020 at the time of acquisition of the irrigation equipment."

Re-number the remaining sections accordingly.

Debate ensued.

The President Pro Tempore declared the question before the Senate to be adoption of the amendment by Senator Hansen.

The motion by Senator Hansen carried and the amendment was adopted.

## MOTION

Senator Granlund moved that the following amendment by Senators Granlund, Owen and McManus be adopted:

On page 12, after line 19, insert:

NEW SECTION, Sec. 8. As used in this chapter, "vessel" includes every description of watercraft, not including a seaplane on the water, used or capable of being used as a means of transportation on the water, and includes all boats except those ships and vessels exempt under RCW 84.36.090.

NEW SECTION, Sec. 9. Upon payment of the personal property taxes due on the vessel in each statement of personalty under RCW 84.40.040, the county treasurer shall issue to the owner of the vessel a decal approved and furnished at cost by the department of revenue which indicates that the year's personal property taxes, or appropriate part thereof, have been paid and which is capable of being affixed to the bow of the vessel. A decal shall be issued for each vessel for which the personal property taxes have been paid, and the decal shall be affixed to the bow of the vessel by the owner of the vessel.

Any vessel without a valid decal under this section is subject to distraint and sale under chapter 84.56 RCW for the payment of taxes.

NEW SECTION, Sec. 10. The assessor shall transmit to the county treasurer the names of all persons in the county who have verified ownership of one or more vessels on the statement of personalty under RCW 84.40.040, together with the number of vessels each person has listed.

NEW SECTION, Sec. 11. Operation by any person of a vessel on the waters of this state without a valid decal as provided in this chapter is a misdemeanor punishable only by a fine not to exceed two hundred dollars. The owner of a vessel which has been affixed with a decal issued under this chapter for another vessel is guilty of a misdemeanor punishable only by a fine not to exceed seven hundred fifty dollars.

Moneys collected under this section shall be used by the jurisdiction collecting the fine exclusively for law enforcement purposes.

This section shall apply after April 30th of the year in which taxes are due under this title.

NEW SECTION, Sec. 12. Vessels not subject to the property tax laws of this state, or which display a valid decal indicating payment of a state excise tax as described in section 15 of this act, are not required to have affixed a decal issued under this chapter. Owners and operators of such vessels are also exempt from section 4 of this act.

NEW SECTION, Sec. 13. All law enforcement officers shall have the authority to enforce this chapter within their respective jurisdictions.

NEW SECTION, Sec. 14. Notwithstanding chapter 42.17 RCW, the county assessors may examine the records of any public port or public marina for the purpose of determining the owners of vessels and their addresses.



NEW SECTION, Sec. 15. Owners of vessels shall have the option of paying either the personal property tax imposed under this title, or any state excise tax imposed for the privilege of using vessels in this state, on vessels which would otherwise be subject to both taxes. Vessels for which the full amount of any such excise tax has been paid for the calendar year are exempt from taxation under this title for that year. To qualify for exemption under this section, the owner of the vessel shall furnish proof of payment of such excise tax to the county treasurer. Only vessels subject to such excise tax and for which such excise tax has been paid are exempt under this section.

NEW SECTION, Sec. 16. The state agency responsible for the collection of a state excise tax as described in section 15 of this act shall consult with the county treasurers, coordinate the collection of any such excise tax and the collection of personal property taxes on vessels, and adopt any rules necessary to accomplish the purposes of this chapter.

NEW SECTION, Sec. 17. Sections 8 through 16 of this act apply to personal property taxes levied in 1983 and payable in 1984 and thereafter.

NEW SECTION, Sec. 18. There is added to chapter 84.55 RCW a new section to read as follows:

Any vessel as defined in section 8 of this act assessed for taxes due in 1984 which was not assessed for taxes due in 1983 shall be considered the same as new construction and improvements for the purposes of calculating the property tax limitation under this chapter."

#### POINT OF INQUIRY

Senator McDermott: "Senator Granlund, could you tell me the fiscal impact of this amendment?"

Senator Granlund: "I discussed it with staff and I believe it's about a wash. I know--I asked staff--it gets very difficult, as you well know, Senator McDermott, because there are people who are not registered--their boats are not registered. It is difficult to come up with a fiscal note on this, but I understand that there is not that much of a difference with a fiscal impact. Do you know otherwise?"

#### POINT OF INQUIRY

Senator Deccio: "Senator Granlund, you mentioned the name of the Republican assessor in King County. Would you give us the name of the Democratic assessor in Pierce County?"

Senator Granlund: "Oh, how I wish he were a Democrat. His name is Calvin Cook--Republican."

#### POINT OF INQUIRY

Senator Newhouse: "Senator McDermott, this is an honest question. When this boat excise tax was passed some months ago by this session--by the majority party, as I recall--didn't this repeal the existing tax law about whether it's subject to the twenty percent property tax and replace it--can we now go back to both?"

Senator McDermott: "Senator Newhouse, you are correct."

#### POINT OF INQUIRY

Senator Sellar: "Would Senator Granlund yield to another question?"

Senator Granlund: "Senator Sellar, I don't know whether the assessor from Spokane County is a Republican or Democrat."

Senator Sellar: "I do. No, seriously, we've worked out in the Transportation Committee a new boat taxing bill that a number of us--on a bipartisan effort--really think that it's a much better and fairer way of taxing boats. The offer of this amendment, is that some kind of a signal that we're not going to consider that other proposal?"

Senator Granlund: "I sincerely hope not. I, like you, do support Senate Bill 3249, but it's nice to have a little cushion, just in case."

#### POINT OF INQUIRY

Senator Kiskaddon: "Senator Owen, if I understood the question earlier, the last bill that put in the excise tax repealed the personal property tax on boats, so if that was in effect, does this mean that you would pay nothing on property tax since this has been repealed out of the other statute?"

Senator Owen: "My understanding, Senator Kiskaddon, is that it reinstates the property tax when you pay the one percent excise tax."

Further debate ensued.

## POINT OF INQUIRY

Senator Granlund: "Senator Bottiger, if you'll look at the amendment on section 9, it says 'payment of the personal property tax under 84.40.040.' Now, my assumption was that that was the personal property tax that applies to the boat owner.

"It's not? May I ask to have this bill put down until we find the answer to that?"

## MOTIONS

On motion of Senator Bottiger, further consideration of the amendment by Senators Granlund, Owen and McManus was deferred.

Senator Moore moved that the following amendment by Senators Moore and Lee be adopted:

On page 12, after line 19, insert the following:

\* Sec. 8. 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) For the purposes of this section:

(a) A person is engaged in wholesale business activities "within this state" only if that person:

(i) Owns or leases real property within this state;

(ii) Regularly maintains a stock of tangible personal property in this state for sale in the ordinary course of business;

(iii) Has employees or other representatives who are not independent contractors engaging in business activities within this state; or

(iv) Is a corporation which is incorporated under the laws of this state.

(b) The term "independent contractor" means:

(i) A commission agent, broker, or other independent contractor who is engaged in selling, or soliciting orders for the sale of, tangible personal property, who holds himself or herself out as such in the regular course of business activities, and who is an independent contractor for federal income tax purposes; or

(ii) Any person who is engaged:

(A) In the trade or business of selling, or soliciting the sale of, consumer products to any buyer on a buy-sell basis or a deposit-commission basis for resale, by the buyer or any other person, in the home or otherwise than in a permanent retail establishment, or in the trade or business of selling, or soliciting the sale of, consumer products in the home or otherwise than in a permanent retail establishment;

(B) Substantially all the remuneration, whether or not paid in cash, for the performance of services described in subparagraph (ii)(A) of this subsection is directly related to sales or other output, including the performance of services, rather than the number of hours worked; and

(C) The services performed by the person are performed pursuant to a written contract between such person and the person for whom the services are performed and such contract provides that the person will not be treated as an employee with respect to such purposes for federal tax purposes.

(c) A person shall not be considered to be engaged in business "within this state" merely by reason of the solicitation in this state by an independent contractor who is subject to a tax under this chapter of orders for sales to or on behalf of a customer of such person, if the orders are sent outside this state for approval or rejection and, if approved, are filled by shipment or delivery from a point outside this state.

(3) 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.

Sec. 9. Section 82.04.250, chapter 15, Laws of 1961 as last amended by section 2, chapter 172, Laws of 1981 and RCW 82.04.250 are each amended to read as follows:

(1) Upon every person except persons taxable under RCW 82.04.260(8) engaging within this state in the business of making sales at retail, as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the rate of forty-four one-hundredths of one percent.

(2) For the purposes of this section:

(a) A person is engaged in retail business activities "within this state" only if that person:

(i) Owns or leases real property within this state;

(ii) Regularly maintains a stock of tangible personal property in this state for sale in the ordinary course of business;

(iii) Has employees or other representatives who are not independent contractors engaging in business activities within this state; or

(iv) Is a corporation which is incorporated under the laws of this state.

(b) The term "independent contractor" means:

(i) A commission agent, broker, or other independent contractor who is engaged in selling, or soliciting orders for the sale of, tangible personal property, who holds himself or herself out as such in the regular course of business activities, and who is an independent contractor for federal income tax purposes; or

(ii) Any person who is engaged:

(A) In the trade or business of selling, or soliciting the sale of, consumer products to any buyer on a buy-sell basis or a deposit-commission basis for resale, by the buyer or any other person, in the home or otherwise than in a permanent retail establishment, or in the trade or business of selling, or soliciting the sale of, consumer products in the home or otherwise than in a permanent retail establishment;

(B) Substantially all the remuneration, whether or not paid in cash, for the performance of services described in subparagraph (ii)(A) of this subsection is directly related to sales or other output, including the performance of services, rather than the number of hours worked; and

(C) The services performed by the person are performed pursuant to a written contract between such person and the person for whom the services are performed and such contract provides that the person will not be treated as an employee with respect to such purposes for federal tax purposes.

(c) A person shall not be considered to be engaged in business "within this state" merely by reason of the solicitation in this state by an independent contractor who is subject to a tax under this chapter of orders for sales to or on behalf of a customer of such person, if the orders are sent outside this state for approval or rejection and, if approved, are filled by shipment or delivery from a point outside this state.

NEW SECTION. Sec. 10. Nothing in this act shall be construed as implying that the mere solicitation of orders by independent contractors already constitutes engaging in business within the state, nor that it was the intent of the legislature that activities of distinct economic entities, such as retailers, wholesalers, and independent contractors, be imputed to an out-of-state business for the purpose of determining whether it was engaged in business within the state."

Renumber the remaining section accordingly.

Debate ensued.

#### POINT OF INQUIRY

Senator Kiskaddon: "Senator Lee, I have the instinct that the five plus million that the Department of Revenue said was the fiscal impact may not really be the true story. My instincts are that many of these people just would not stay in Washington and that we might lose sales tax and other kinds of things, and I think you have sort of hinted at the idea that that may have been too high an estimate. Would you clarify that for me?"

Senator Lee: "Yes, I would be glad to clarify it. It is not the responsibility of the Department of Revenue when it makes these kinds of figures--but on the other side of the ledger--figure out what might be lost if the bill were not passed and the data that was put together by some of the trade center people, in fact--some of them had in their hands--papers for people--you know, with a date on it, that they, in fact, will be leaving those centers, because they simply can't afford this kind of double taxation. When we did that kind of calculation we felt that we found that we would be losing impact in the state of Washington of about 7.8 million dollars. In other words, if this kind of language isn't clarified in our tax law before we leave here this session, it will be a net loss of well over two million dollars."

The President Pro Tempore declared the question before the Senate to be adoption of the amendment by Senators Moore and Lee.

The motion of Senator Moore carried and the amendment was adopted.

There being no objection, the Senate resumed consideration of the amendment on page 12, line 19, by Senators Granlund, Owen and McManus, deferred earlier today.

#### MOTION

On motion of Senator Hurley, the following amendment to the amendment was adopted on a rising vote:

On page 2, line 15, after "exceed" delete two and insert five

#### MOTION

Senator McDermott moved that the following amendment to the amendment be adopted:

On page 12, line 19, insert the following:

Sec. 8. Section 39, chapter 37, Laws of 1980 as amended by section 1, chapter 5, Laws of 1982 1st ex. sess. and RCW 82.08.0273 are each amended to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales to nonresidents of this state of tangible personal property for use outside this state when the purchaser has applied for and received from the department of revenue a permit certifying (1) that ~~(he)~~ the purchaser is a bona fide resident of a state or possession or Province of Canada other than the state of Washington, (2) that such state, possession, or Province of Canada does not impose a retail sales tax or use tax of three percent or more or, if imposing such a tax, permits Washington residents exemption from otherwise taxable sales by reason of their residence, and (3) that he or she does agree, when requested, to grant the department of revenue access to such records and other forms of verification at his or her place of residence to assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this section must display a nonresident permit as herein provided, and any vendor making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable, shall be renewable annually, and shall be issued by the department of revenue upon payment of a fee of ~~((five))~~ one dollar~~(s))~~. The department may in its discretion designate independent agents for the issuance of permits, according to such standards and qualifications as the department may prescribe. Such agents shall pay over and account to the department for all permit fees collected, after deducting as a collection fee the sum of ~~((one dollar))~~ fifty cents for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of perjury. Any person making tax exempt purchases by displaying a permit not his or her own, or a counterfeit permit, with intent to violate the provisions of this section shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit, and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due.

Renumber the remaining sections accordingly.

#### POINT OF INQUIRY

Senator Guess: "Senator McDermott, I'm a little suspicious. On lines 11 and 12, you have stricken (e) and inserted the term 'the purchaser.' Is there any reason for that other than the sex approach?"

Senator McDermott: "Senator Guess, most of the purchases are made by--well, I think there are 52% women in the world, so most of the purchases are made by women and I think it's unfair to make all purchases made by men. So we felt we'd use a mutual word like 'purchaser', so it would cover everybody."

The President Pro Tempore declared the question before the Senate to be adoption of the amendment by Senator McDermott to the amendment.

The motion by Senator McDermott carried and the amendment to the amendment was adopted.

#### MOTION

On motion of Senator Bottiger, further consideration of House Bill No. 72 was deferred.

President Cherberg assumed the chair.

There being no objection, the Senate resumed consideration of Senate Bill No. 3044, deferred earlier today.

#### RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the point of order raised by Senator Clarke, the President finds that Senate Bill No. 3044 is a measure which deals with the exemptions from nonresident tuition by exempting active duty military personnel stationed in the state, their spouse and dependents.

"The amendment proposed by Senator Hansen also deals with exemptions from nonresident tuition by exempting persons who are in the state of Washington from the purpose of participating in a federal jobs corps program.

"The President, therefore, finds that the proposed amendment does not expand the scope and object of the bill and that the point of order is not well taken."

The amendment was ruled in order.

Debate ensued.

The President declared the question before the Senate to be adoption of the amendment on page 1, line 23, by Senator Hansen.

The motion by Senator Hansen carried and the amendment was adopted.

#### MOTION

Senator Haley moved adoption of the following amendment:

On page 1, line 21, strike lines 21, 22 and 23 and insert:

"The spouse and dependents of active duty military personnel stationed in the state of Washington."

Debate ensued.

Senator Gaspard demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on adoption of the amendment by Senator Haley.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Haley failed and the amendment was not adopted by the following vote: Yeas, 10; nays, 37; absent, 02; excused, 00.

Voting yea: Senators Benitz, Craswell, Fuller, Guess, Haley, McCaslin, Newhouse, Quigg, Sellar, Zimmerman - 10.

Voting nay: Senators Barr, Bender, Bluechel, Bottiger, Clarke, Conner, Deccio, Fleming, Gaspard, Goltz, Granlund, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Lee, McDermott, McManus, Metcalf, Moore, Owen, Patterson, Peterson, Pullen, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody - 37.

Absent: Senators Bauer, Kiskaddon - 2.

#### MOTIONS

On motion of Senator Gaspard, the following title amendments were considered and adopted simultaneously:

On page 1, line 2 of the title after "differentials," strike "and"

On page 1, line 4 of the title after "28B.15.014" insert "; and declaring an emergency"

On motion of Senator Bottiger, the rules were suspended, Engrossed Senate Bill No. 3044 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3044.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Bill No. 3044, and the bill passed the Senate by the following vote: Yeas, 39; nays, 08; absent, 02; excused, 00.

Voting yea: Senators Barr, Bauer, Bender, Bottiger, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, McCaslin, McDermott, McManus, Metcalf, Moore, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 39.

Voting nay: Senators Benitz, Bluechel, Clarke, Guess, Jones, Lee, Sellar, von Reichbauer - 8.

Absent: Senators Kiskaddon, Newhouse - 2.

ENGROSSED SENATE BILL NO. 3044, having received the 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 President advanced the Senate to the seventh order of business.

### THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3608, by Committee on State Government (originally sponsored by Senators McManus, Zimmerman, Woody and Bender)

Modifying provisions relating to cultural arts, stadium and convention districts.

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

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3608.

### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 3608, and the bill passed the Senate by the following vote: Yeas, 33; nays, 15; absent, 01; excused, 00.

Voting yea: Senators Barr, Bender, Benitz, Bottiger, Conner, Deccio, Fleming, Gaspard, Granlund, Guess, Haley, Hemstad, Hughes, Hurley, Jones, Lee, McDermott, McManus, Moore, Newhouse, Owen, Patterson, Quigg, Sellar, Shinpoch, Talmadge, Vognlid, von Reichbauer, Wanke, Williams, Wojahn, Woody, Zimmerman - 33.

Voting nay: Senators Bauer, Bluechel, Clarke, Craswell, Fuller, Goltz, Hansen, Hayner, McCaslin, Metcalf, Peterson, Pullen, Rasmussen, Rinehart, Thompson - 15.

Absent: Senator Kiskaddon - 1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3608, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### MOTION

On motion of Senator Shinpoch, the Senate advanced to the eighth order of business.

### MOTION FOR RECONSIDERATION

Having served prior notice, Senator Shinpoch moved that the Senate reconsider the vote by which Engrossed Substitute House Bill No. 740, as amended by the Senate, failed to pass the Senate on May 3, 1983.

The motion by Senator Shinpoch carried and the Senate resumed consideration of Engrossed Substitute House Bill No. 740.

### MOTION

On motion of Senator Shinpoch, further consideration of Engrossed Senate Bill No. 740, as amended by the Senate, on reconsideration, was deferred.

### MOTION

Senator Clarke moved that the Committee on Rules be relieved of further consideration of Gubernatorial Appointment No. 78--Otto Amen--and that the appointment be placed before the Senate for consideration.

### MOTION

At 3:40 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The Senate was called to order at 4:07 p.m. by President Cherberg.

### MOTION

Senator Bottiger moved that the motion by Senator Clarke to relieve the Committee on Rules of Gubernatorial Appointment No. 78, be laid upon the table.

Debate ensued.

Senator Clarke demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Bottiger to lay the motion by Senator Clarke on the table.

## ROLL CALL

The Secretary called the roll and the motion by Senator Bottiger carried by the following vote: Yeas, 26; nays, 23; absent, 00; excused, 00.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McDermott, McManus, Moore, Owen, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 26.

Voting nay: Senators Barr, Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Sellar, von Reichbauer, Zimmerman - 23.

There being no objection, the Senate resumed consideration of Engrossed Substitute House Bill No. 740, as amended by the Senate, on reconsideration, which was deferred earlier today.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 740, as amended by the Senate, on reconsideration.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed House Bill No. 740, as amended by the Senate, on reconsideration, and the bill passed the Senate by the following vote: Yeas, 26; nays, 23; absent, 00; excused, 00.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McDermott, McManus, Moore, Owen, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 26.

Voting nay: Senators Barr, Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Sellar, von Reichbauer, Zimmerman - 23.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 740, as amended by the Senate, on reconsideration, having received the 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 President returned the Senate to the sixth order of business.

There being no objection, the Senate resumed consideration of House Bill No. 72 and the pending amendment on page 12, after line 19, by Senators Granlund, Owen and McManus, deferred earlier today.

## MOTION

Senator Granlund moved the following amendment by Senators Granlund, Owen and McManus to their amendment:

On page 1 of the amendment, after line 12, insert:

"Sec. 9. Section 24, chapter \_\_\_\_\_, Laws of 1983 (Engrossed Senate Bill No. 3258) and RCW 84.36.090 are each amended as follows: Except as provided in sections 8 through 16 of this 1983 amendatory act, all ships and vessels, other than those partially exempt under RCW 84.36.080 and those described in RCW 84.36.079, are exempt from ad valorem taxes."

Renumber the remaining sections accordingly.

## MOTION

On motion of Senator Shinpoch, further consideration of House Bill No. 72 was deferred.

## SECOND READING

SENATE BILL NO. 3187, by Senators Bottiger, McDermott and Vognild

Imposing an excise tax on the severance of minerals.

## MOTIONS

On motion of Senator McDermott, Second Substitute Senate Bill No. 3187 was substituted for Senate Bill No. 3187 and the second substitute bill was placed on second reading and read the second time.

Senator Hansen moved that the following amendment by Senators Hansen and Deccio be adopted:

On page 4, after line 2, strike all material down through line 4 and insert the following:

"(2) The tax shall be imposed on the value of the oil and gas at the time and point of production according to the depth of recovery as follows:

DEPTH OF RECOVERY	RATE
0-8,000 feet	5 3/4%
8,001-16,000 feet	3 3/4%
16,001 or more feet	1 3/4%

(3) Subsection (2) of this section notwithstanding, gas recovered from five thousand feet or less below the surface shall be taxed at the rate of three and three-fourths percent of the value of the gas at the time and point of production."

Debate ensued.

Senator Pullen demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on adoption of the amendment by Senators Hansen and Deccio.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Hansen failed and the amendment was not adopted by the following vote: following vote: Yeas, 16; nays, 30; absent, 03; excused, 00.

Voting yea: Senators Conner, Craswell, Deccio, Goltz, Haley, Hansen, Hayner, McCaslin, Metcalf, Moore, Peterson, Pullen, Quigg, Sellar, von Reichbauer, Warnke - 16.

Voting nay: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Fleming, Fuller, Gaspard, Granlund, Guess, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Owen, Patterson, Rasmussen, Rinehart, Shinpoch, Taimadge, Thompson, Vognild, Williams, Wojahn, Woody, Zimmerman - 30.

Absent: Senators McDermott, McManus, Newhouse - 3.

#### MOTION

Senator Pullen moved that the following amendment be adopted:

On page 8, line 31, add a new section as follows and renumber the other sections accordingly:

"NEW SECTION, Sec. 14. The director of the Department of Revenue shall reduce the sales tax at the beginning of each biennium by an amount such that the reduction in the sales tax revenue will be equal to the revenue obtained the previous biennium from the severance tax."

#### POINT OF ORDER

Senator Bottiger: "Mr. President, I raise the point of order that the amendment expands the scope and object of the bill. Clearly by the reading, Senator Pullen is attempting to reduce the sales tax. This bill is a bill that pertains to a severance tax on gas and oil."

#### MOTION

On motion of Senator Shinpoch, further consideration of Second Substitute Senate Bill No. 3187 was deferred.

President Pro Tempore Goltz assumed the chair.

#### SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 796, by Committee on State Government (originally sponsored by Representatives Walk, J. King, Hankins, B. Williams and Hine)

Creating a department of community development.

The bill was read the second time.

#### MOTIONS

On motion of Senator Warnke, the following Committee on State Government amendment was adopted:

On page 35, beginning on line 12, strike "1983" and insert "1984"

On motion of Senator Warnke, the rules were suspended, Engrossed Substitute House Bill No. 796, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.



## POINT OF INQUIRY

Senator Pullen: "Senator Warnke, I have an open mind on this particular bill. In the past when I've seen new departments created, combining say two other departments, what sometimes happens is we put the two departments together and then just add some people at the top which ends up actually costing money rather than saving money. Have you looked at this particular bill to determine whether the efficiency that we hoped would be obtained in this particular bill--will actually save money or is there, for example a fiscal impact associated with this particular bill?"

Senator Warnke: "The creation of this department, as it presently exists in this bill, eliminates some positions at the top by the comingling and reduces the numbers. So in that sense, in answering your question, yes, it does eliminate some positions."

## POINT OF ORDER

Senator Clarke: "A point of order. I question as to whether this bill is properly before us in view of the joint resolution."

## MOTION

On motion of Senator Shipoch, further consideration of Engrossed Substitute House Bill No. 796 was deferred.

There being no objection, the President Pro Tempore advanced the Senate to the seventh order of business.

## THIRD READING

SECOND SUBSTITUTE HOUSE BILL NO. 226, by Committee on Ways and Means (originally sponsored by Representatives Ristuben, Ellis, Martinis, Tanner, Armstrong, B. Williams, Fisher, Locke, Halsan, McMullen, Fisch, R. King, Zellinsky, Smitherman, Gallagher, Todd, Haugen, Appelwick, P. King, Braddock, D. Nelson, Brekke, Vekich, Wang, Powers, Rust, Charnley, Ebersole, Hine, Galloway, Isaacson, Tilly, Garrett, Holland, Lewis, Johnson, Schoon, Stratton and Brough)

Providing for the establishment of export assistance centers.

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

## POINT OF INQUIRY

Senator Rasmussen: "Senator Vognild, I notice that this proposed agency is going to guarantee loans. Where are you going to get the money and where do you get the guarantee--there's only two hundred and fifty thousand in the appropriation?"

Senator Vognild: "Well, Senator, in answering your question, I must respond to Senator Metcalf. They are authorized, by this bill, to solicit and accept funds from private sources to put into these loan operations and loan guarantees. That is something that is lacking in this state right now. There's no state agency authorized to do that. In other states that have done similarly, the money generally comes from large investment corporations--very often large insurance corporations--they put a large block of money into this as an investment and also as a stimulant to the economy."

Further debate ensued.

## POINT OF INQUIRY

Senator Pullen: "Senator Vognild, with regard to the loan guarantee, is it your intent that the full faith and credit of the state will be pledged towards the loan guarantee?"

Senator Vognild: "No, Senator Pullen, as a matter of fact the bill was drawn, we feel, very carefully and very tight to make sure the state is not liable for any of the center's operation."

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Second Substitute House Bill No. 226, as previously amended by the Senate.

## ROLL CALL

The Secretary called the roll on final passage of Second Substitute House Bill No. 226, as previously amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 25; nays, 24; absent, 00; excused, 00.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McDermott, McManus, Moore, Owen, Peterson, Rinehart, Shipoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 25.

Voting nay: Senators Barr, Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Rasmussen, Sellar, von Reichbauer, Zimmerman - 24.

SECOND SUBSTITUTE HOUSE BILL NO. 226, as previously amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Senator Shipoch, all bills passed today were ordered immediately transmitted to the House.

President Cherberg assumed the chair.

There being no objection, the Senate resumed consideration of Second Substitute Senate Bill No. 3187, deferred earlier today.

## RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the point of order raised by Senator Bottiger, the President finds that Second Substitute Senate Bill No. 3187 is a measure which imposes a severance tax on oil and gas extracted in this state.

"The amendment proposed by Senator Pullen would reduce the sales tax at the beginning of each biennium by an amount equal to the revenue obtained from the severance tax in the previous biennium.

"The President, therefore, finds that the proposed amendment does expand the scope and object of the bill and that the point of order is well taken."

The amendment was ruled out of order.

## MOTION

On motion of Senator Bottiger, the rules were suspended, Second Substitute Senate Bill No. 3187 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Second Substitute Senate Bill No. 3187.

## ROLL CALL

The Secretary called the roll on final passage of Second Substitute Senate Bill No. 3187, and the bill passed the Senate by the following vote: Yeas, 38; nays, 10; absent, 01; excused, 00.

Voting yea: Senators Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Deccio, Fleming, Gaspard, Goltz, Granlund, Guess, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Rasmussen, Rinehart, Shipoch, Talmadge, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 38.

Voting nay: Senators Barr, Craswell, Fuller, Haley, McCaslin, Metcalf, Pullen, Quigg, Sellar, von Reichbauer - 10.

Absent: Senator Thompson - 1.

SECOND SUBSTITUTE SENATE BILL NO. 3187, having received the 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 President returned the Senate to the fourth order of business.

## MESSAGES FROM THE HOUSE

May 4, 1983

Mr. President:

The Speaker has signed:

HOUSE CONCURRENT RESOLUTION NO. 26, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 4, 1983

Mr. President:

The Speaker has signed:

SENATE BILL NO. 3314,

SUBSTITUTE SENATE BILL NO. 3372,

SENATE BILL NO. 3784, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 3, 1983

Mr. President:

The Speaker has signed:

HOUSE BILL NO. 471,

SUBSTITUTE HOUSE BILL NO. 496,

HOUSE BILL NO. 725, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 4, 1983

Mr. President:

The Speaker has signed:

HOUSE BILL NO. 420, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

SIGNED BY THE PRESIDENT

The President signed:

HOUSE CONCURRENT RESOLUTION NO. 26.

SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 420.

SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 471,

SUBSTITUTE HOUSE BILL NO. 496,

HOUSE BILL NO. 725.

SIGNED BY THE PRESIDENT

The President signed:

SECOND SUBSTITUTE SENATE BILL NO. 3085,

SUBSTITUTE SENATE BILL NO. 3538,

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 113.

At 5:13 p.m., the Senate members and officers retired to the House Chamber to meet in Joint Session for the purpose of receiving a message from the Governor regarding the WPPSS crisis.

#### JOINT SESSION

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

The Speaker instructed the Sergeants at Arms to escort the President of the Senate John Cherberg, President Pro Tempore H. A. "Barney" Goltz, Vice President Pro Tempore A. L. "Slim" Rasmussen and Majority Leader R. Ted Bottiger to seats on the rostrum.

The Speaker invited the Senators to seats within the House Chamber.

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

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

The Clerk of the House called the roll of the House and all members were present except Representatives Bond and Chandler, who were excused.

The President of the Senate appointed Senators Warnke and Craswell and Representatives Belcher, Ristuben and Allen to escort the state elected officials to seats within the House Chamber.

The President of the Senate appointed Senators Hurley, Metcalf and McManus and Representatives Galloway, Wang and Ballard to escort Governor John Spellman to the rostrum.

The President introduced Governor John Spellman.

#### MESSAGE FROM THE GOVERNOR

Governor Spellman: "Mr. President, Mr. Speaker, distinguished elected officials, members of the Senate and House, my fellow citizens:

"It is necessary this evening to report to you and to the citizens of the State of Washington on the imminent crisis that threatens our state and our region because of the likely default of the Washington Public Power Supply System. As things stand now, default is likely and will come quickly, but it could still be avoided in the few days remaining, before we pass the point of no return.

"I come before you this evening, in the eleventh hour, in an attempt to unite the many special interests in the common cause of avoiding default. I will not review the Supply System's dismal past--its once-bad management; its cost overruns; the previous, erroneous power need forecasts. It is the future that concerns us this evening, not the past. I will not again detail the litany of probable, grave impacts of default on every user of electricity, every business, every school district and every unit of government. Let it suffice to say that no good can come from default. For two years, I have wrestled with the seemingly infinite details of the financial nightmare of WPPSS. For the past two months, I have vigorously applied myself to carrying out the intent of the House and Senate resolutions that requested me to negotiate an alternative to default. In a series of meetings totaling well over eighty hours, I have chaired negotiating sessions attended by more than two dozen key representatives of public utility participants in terminated plants 4 and 5, the investor-owned utilities, the rural co-ops, the direct service industries, the Bonneville Power Administration, the Supply System's executive board, and others. At the first meeting--indeed, at each meeting--the parties, no matter how divided on other issues, all agreed that default was the worst possible conclusion and that default must be avoided. From the beginning, the negotiations were impeded by a series of lawsuits in Washington, Oregon, and Idaho. Oregon and Idaho trial courts ruled that their states' municipal participants could not pay their contractual obligations. Those rulings are now on appeal; and the Chemical Bank Case, in King County Superior Court, is a suit questioning whether or not Washington participants in terminated plants 4 and 5 are legally bound by and must pay under the contracts they signed. The trial of that case has been delayed for almost four months while the State Supreme Court considers preliminary rulings. It has never been possible for those suits--and a number of other related lawsuits--to be decided before default would occur, especially if the parties involved in those suits refuse to make interim payments on their obligations. The search for a solution has been hampered by a host of lawyers advising their clients not to honor their obligations, unless the courts order them to pay. It was in that atmosphere--complicated by numerous lawsuits, court delays, and conflicting legal advice--that negotiations were begun to avoid default.

"What were we trying to accomplish? First, to establish a solid foundation for the newly developed Regional Power Plan to function and meet our energy and conservation needs; second, to complete plants 1, 2, and 3, which the Regional Power Plan assumes are needed and will be built; third, to get control of the plant 4 and 5 situation, which is now in a chaotic condition, with control dispersed through a number of courts; and fourth, to allow some ratepayer relief and to provide equity throughout the northwest region.

"In addressing those goals, we considered at least seven plans and dozens of variations on them. The plans ranged from the first public suggestion, a huge state-sponsored bond issue, to a sharing of burdens in order to lessen the impact on the hardest-hit 4 and 5 participants, to a full or partial regionalization of terminated public and private plants under Bonneville. After all that deliberation, it does not

appear that we can obtain a comprehensive long-term solution to all the problems at this time.

"None of the proposals that were considered had sufficient support to achieve such a comprehensive long-term solution. As a result, we are unable to get control of the plant 4 and 5 situation and accomplish our other goals. In addition, plants 2 and 3, even though needed, are in real jeopardy. The implementation of the Regional Power Plan is also in jeopardy. The problems facing plants 4 and 5 are out of control; therefore, there can be no ratepayer relief. It is now clear that plants 4 and 5 will not be built by the Supply System. It is now clear that we are on the very verge of default. There is no doubt the default will have a serious negative impact on the public utilities that are participants in those plants. Default will have a lesser but real adverse impact on other public utilities, municipalities, and the State of Washington in terms of higher borrowing costs and, therefore, higher rates to the consumers and taxpayers.

"Default is likely to occur on May 13, and certainly within the next two months. Therefore, in our deliberations, we turned to short-term solutions in order to avoid default. Unfortunately, most of the decisions in the short-term will be made by the courts. Let us hope the courts will act with necessary dispatch. I urge them to do so. The final plan we considered was, while the courts are reaching their decisions, to settle the existing cost-sharing lawsuits, which will have to be paid someday under any circumstance. That plan would use the funds from a \$300 million settlement of those lawsuits, together with a comparable amount from the funds already paid into court escrow by the participants, in order to avoid default before the courts rule. By that action, the ratepayers and utilities would be protected from additional lawsuits and from the acceleration of the 4 and 5 debt. That plan--the final proposal to be considered--was rejected by the participants. The participants, on the advice of their lawyers, refused to pay any funds to avoid default.

"Let me reiterate. At each meeting, all agreed that default was the worst possible result. Proposals were seriously considered by the utilities that did not build terminated plants 4 and 5 in order to voluntarily help the public utilities that did undertake to build plants 4 and 5. The nonparticipants would have provided funds to hold things together until the courts ruled, but the participants, the builders of plants 4 and 5, have refused to allow any of their funds to be paid out of escrow in order to avoid default. The simple truth we face tonight is that, unless those payments are made, default will occur as surely as I am standing here. WPPSS plants 1, 2 and 3 have been put in jeopardy in this process. In its recently adopted plan, the Regional Power Council finds that those plants are needed and assumes they will proceed. Plant 2 is ninety-seven percent complete. Plant 3 is seventy percent complete. It will cost about as much to ramp down, or mothball, plant 3 as it will to complete it. Nevertheless, because of the current situation, funding to complete those needed plants may be impossible to obtain, unless the Legislature passes legislation in order to make it impossible for WPPSS to go into bankruptcy until a change in federal law permits separating the needed plants from terminated plants 4 and 5. Such legislation is absolutely necessary in order to ensure the fiscal stability of our region. I call on the Legislature to pass it. Let me make clear my motivation. I am not an advocate for any party in this dispute. I would gladly accept any solution that would serve the best interests of the people of this state as ratepayers, in their homes and on the job. If we can avoid default and establish stability, we will have the opportunity in the future to keep utility rates lower by refinancing existing high-interest construction bonds at lower interest rates. If default occurs, that opportunity will be lost. I am gravely concerned that the default that is now imminent will hurt our ratepayers and dampen our economy, keeping people out of work.

"Having spent months considering all proposals, I have concluded that there is one best solution which can avoid default. It is the solution that was on the table when the parties last met; that is, a settlement of the lawsuit pending on the subject of how much money is owed to the participants in plants 4 and 5 from the builders of their twin plants 1 and 3. The settlement would be \$300 million to be paid over ten years. The first year's payment would be \$50 million. That payment, combined with funds released from escrow by the public utilities, would be used to pay the Supply System's ongoing costs. It would avoid default. It would allow time for the

courts to finally rule on who must pay. It would cost ratepayers nothing additional for the first year and imperceptible rate increases, if any, during the remaining nine years. I believe the elected public utility officials want to avoid default. I know it will be necessary for them to step forward and act in order to avoid default, while the legal issues are being resolved. I see no other solution that can occur in the time left. I call on those elected public utility officials to take this necessary action, for the best interest of the state and of their ratepayers. I call on them to take this action within the next seven days.

"Default equals failure--failure to honor and pay our obligations, and failure to reach an agreement that will avoid default. This region, this state, our people have not had a record of failure. We must not fail now."

The President instructed the committees to escort Governor Spellman, the Supreme Court Justices and the state elected officials from the House Chamber.

#### MOTION

On motion of Representative Heck, the Joint Session was dissolved.

The President returned the gavel to the Speaker.

The Speaker instructed the committee to escort President Cherberg, President Pro Tempore Goltz, Vice President Pro Tempore Rasmussen and Majority Leader Bottiger from the House Chamber.

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the Senators from the House Chamber.

The President called the Senate to order at 6:05 p.m.

#### MOTION

At 6:05 p.m., on motion of Senator Shinpoch, the Senate recessed until 7:30 p.m.

#### EVENING SESSION

The Senate was called to order at 7:30 p.m. by President Cherberg.

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

#### SECOND READING

SENATE BILL NO. 3850, by Senators Vognild, Quigg and Woody

Establishing the private sector job placement program.

The bill was read the second time.

#### MOTIONS

On motion of Senator Vognild, the following Committee on Commerce and Labor amendment was adopted:

On page 1, line 11, after "182.979" strike ".000"

Senator Gaspard moved that the following Committee on Ways and Means amendments be considered and adopted simultaneously:

On page 5, after line 16, insert the following:

**"NEW SECTION.** Sec. 10. (1) There is established the Washington state jobs again council. The council shall consist of at least fifteen but not more than thirty members. The members shall be appointed by the governor and shall include persons experienced in the fields of job development, retraining, and reemployment and shall include representation from public, private, and nonprofit organizations. In making the appointments, the governor shall consider the recommendations of the employment security department. Members of the council shall not be compensated but shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(2) The jobs again council shall cooperate with the employment security department and make recommendations for programs and projects designed to reemploy the state's unemployed persons in the shortest possible time. The council shall identify those retraining and reemployment programs that can be implemented rapidly and can serve the largest number of participants in the shortest period of time. These recommendations may include self-placement programs, short-term career change programs, on-the-job training, remotivation and employment orientation, and job development programs.

(3) In developing the proposals and recommendations, the council shall examine employment programs that have been successful in other states, particularly where government

agencies have worked with the private sector to produce a large volume of employed persons at a minimum of public cost. The governor's office shall provide staff and administrative support to the council.

(4) The council shall submit its final report, including legislative proposals and funding recommendations, to the governor, the commissioner of the employment security department, the president of the senate, and the speaker of the house of representatives prior to the convening of the 1984 regular session of the legislature. The council shall cease to exist on January 31, 1984."

Renumber the sections consecutively.

On page 6, line 1, after "act." strike the remainder of the bill and insert "No more than fifty thousand dollars of this appropriation may be used for staff and administrative support for the jobs again council.

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."

#### POINT OF ORDER

Senator Lee: "Mr. President, I challenge these particular amendments as to whether or not they fit the scope and object of the bill and the resolution calling for the special session."

#### MOTION

On motion of Senator Shinpoch, further consideration of Senate Bill No. 3850 was deferred.

There being no objection, the Senate resumed consideration of House Bill No. 72 and the pending amendment by Senators Granlund, Owen and McManus to the pending amendment by Senators Granlund, Owen and McManus.

#### POINT OF INQUIRY

Senator Clarke: "Senator Granlund, what is the effect of this amendment with respect to reinstating the situation of the old 20% tax?"

Senator Granlund: "This amendment, in effect, reinstates that back into statute."

Debate ensued.

The President declared the question before the Senate to be adoption of the amendment on page 1, line 12, to the amendment.

The motion by Senator Granlund carried and the amendment to the amendment was adopted.

#### MOTION

On motion of Senator Granlund, the following amendments to the amendment were considered and adopted simultaneously:

On page 1 of the amendment, line 11 after "RCW" insert "84.36.079, 84.36.080 and"

On page 1 of the amendment, line 12 after ".090" insert "and vessels which are temporarily in this state undergoing repair or alteration"

The President declared the question before the Senate to be adoption of the amendment by Senators Granlund, Owen and McManus, as amended.

The motion by Senator Granlund carried and the amendment, as amended, was adopted.

#### MOTION

Senator Vognild moved the following amendments be considered and adopted simultaneously:

On page 12, after line 19, insert:

"NEW SECTION. Sec. 8. There is added to chapter 82.04 RCW a new section to read as follows:

This chapter shall not apply to research and development of any business under this chapter.

"NEW SECTION. Sec. 10. There is added to chapter 82.08 RCW a new section to read as follows:

This chapter shall not apply to research and development of any business under this chapter.

"NEW SECTION. Sec. 12. There is added to chapter 82.12 RCW a new section to read as follows:

This chapter shall not apply to research and development of any business under this chapter."

Debate ensued.

The President declared the question before the Senate to be adoption of the amendments by Senator Vognild.

The motion by Senator Vognild carried and the amendments were adopted.

#### MOTION

Senator Vognild moved the following amendments be considered and adopted simultaneously:

On page 12, after line 19, insert:

"NEW SECTION. Sec. 9. There is added to chapter 82.04 RCW a new section to read as follows:

This chapter shall not apply to gifts to any public or private school as defined in Title 28A RCW.

NEW SECTION. Sec. 11. There is added to chapter 82.08 RCW a new section to read as follows:

This chapter shall not apply to gifts to any public or private school as defined in Title 28A RCW.

"NEW SECTION. Sec. 13. There is added to chapter 82.12 RCW a new section to read as follows:

This chapter shall not apply to gifts to any public or private school as defined in Title 28A RCW."

Re-number remaining sections and change internal references accordingly.

#### POINT OF INQUIRY

Senator Jones: "Senator Vognild, how did this come to the attention of the Department of Revenue? Could you describe that somewhat so I'll have some concept--did somebody report it or did they take the tax advantage on this, because I have heard of people taking tax advantages--I'd like to understand that."

Senator Vognild: "I'll refer to Senator Bottiger."

Senator Bottiger: "Mr. President, no doubt they took a charitable deduction under the federal income tax. The reason it came to the attention of the Department of Revenue--you guys hired a whole bunch of new auditors two years ago and this is the work product. Here they are back again."

Further debate ensued.

The President declared the question before the Senate to be adoption of the amendments by Senator Vognild.

The motion by Senator Vognild carried and the amendments were adopted.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Hemstad moved to reconsider the vote by which the Vognild amendments to page 12, after line 19--New Sections 8, 10 and 12--were adopted."

#### PARLIAMENTARY INQUIRY

Senator Peterson: "A point of parliamentary inquiry. This was an oral vote and Senator Hemstad raised the question for reconsideration and without a roll call, how could we reconsider a vote that was adopted without a roll call?"

#### REPLY BY THE PRESIDENT

President Cherberg: "The President believes that Senator Hemstad is a trustworthy young man and it makes it right."

#### POINT OF INQUIRY

Senator Vognild: "Mr. President, would it be permissible for me to ask Senator Hemstad the purpose of his motion--if he wants to amend or what he wants to do?"

Senator Hemstad: "If the vote, in fact, is subject to reconsideration, then I would think it would be appropriate to put it down a bit and perhaps look at it some more. There may be a way of phrasing this so that it has some more definition to it, so that at least we will all know what we're voting on, but I suspect if this stays, the bill on third reading probably is not going to pass at all."

The motion for reconsideration carried on a rising vote.



The Senate resumed consideration of the amendments on page 12, after line 19--New Sections 8, 10 and 12.

## MOTION

Senator Lee moved the following amendment to the Vognild amendments:

On page 12, line 19, after "apply" in "NEW SECTIONS 8, 10 and 12", insert "to the prototypes resulting from a research and development program" and strike "to research and development"

Debate ensued.

## MOTION

Senator Bottiger moved that further consideration of House Bill No. 72 be deferred and placed at the bottom of the second reading calendar, and that the rules be suspended and no more amendments be offered on the bill.

Debate ensued.

The President declared the question before the Senate to be the motion to defer consideration of House Bill No. 72.

The motion by Senator Bottiger failed and the Senate resumed consideration of House Bill No. 72.

The President declared the question before the Senate to be adoption of the Lee amendment to the amendments by Senator Vognild, on reconsideration.

The motion by Senator Lee carried and the amendment to the amendments was adopted.

The President declared the question before the Senate to be adoption of the amendments by Senator Vognild, as amended.

The amendments, as amended, by Senator Vognild were adopted.

## MOTIONS

Senator Goltz moved that the following amendment be adopted:

On page 7, line 29, add (14) that ice cream be taxed at the lowest possible rate

Senator Deccio moved that the following amendment to the amendment be adopted:

On page 7, line 29, insert the word "spumoni" between the words "that" and "ice"

There being no objection, Senator Goltz withdrew the amendment.

## MOTIONS

On motion of Senator Zimmerman, Senators Fuller and von Reichbauer were excused.

On motion of Senator Bottiger, further consideration of House Bill No. 72 was deferred.

There being no objection, the Senate resumed consideration of Engrossed Substitute House Bill No. 796, deferred earlier today.

## RULING BY THE PRESIDENT

"President Cherberg: "In ruling on the point of order raised by Senator Clarke, the President finds that Engrossed Substitute House Bill No. 796 is a measure which creates the Department of Community Development, and is specifically referenced in the budget.

"The President, therefore, finds that Engrossed Substitute House Bill No. 796 comes within the provisions of subsection (2) of House Concurrent Resolution No. 23 and that it is properly before the Senate."

Debate ensued.

## POINT OF INQUIRY

Senator Barr: "Senator Warnke, there are a lot of people out in the country that are concerned about this bill--whether they are misinformed or what. On these block grants, the handling of the block grants, I have to be assured those monies will not go to DSHS, because the word is out there that in this shift--in this combination--I'm talking about the right bill aren't I? Could you lay the record straight on that?"

Senator Warnke: "Senator Barr, the new department--the new agency--is divided into three departments. Specifically, their names--to answer your question--the first is the Office of Contracts and Grants, so they will be continuing to handle those; the Office of Local Government Cooperation, so they will continue those functions with local government; and the Office of Trade and Economic Development, which is the area that Senator Zimmerman was speaking to previously. Those specific functions are outlined in the bill, in order that there be increased emphasis on those issues for our local people."

Further debate ensued.

#### POINT OF INQUIRY

Senator Hayner: "Senator Warnke, is it assumed that all the employees of the Planning and Community Affairs Agency will be transferred to the new agency and is there a fiscal note on this? Do you assume that this will save money or is it going to cost us money and will it be more efficient?"

Senator Warnke: "Senator Hayner, well I don't know where to start. Maybe I should start from the last first. 'Will it be more efficient'--certainly the intent of the drafters of the legislation is that it will be more efficient. How those functions are carried out by those people that are placed in the supervision of the function--whether or not they will be more efficient, I would have to wait and find out.

"I do not have the budget in front of me. The budget relates to the amount of this bill where we for one year fund both agencies and the second year fund it together and this was in the budget that passed, Senator. I don't have a copy of that with me or the fiscal note here for the bill. Thirdly, 'does it transfer all of the people?' All the people that are retained that have the protection of transfer, yes, they will be retained and transferred, but there are some exempt positions, obviously, that decisions will have to be made."

Further debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 796, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute House Bill No. 796, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 27; nays, 19; absent, 01; excused, 02.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McDermott, McManus, Moore, Owen, Peterson, Pullen, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 27.

Voting nay: Senators Barr, Benitz, Bluechel, Clarke, Craswell, Deccio, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Newhouse, Patterson, Quigg, Sellar, Zimmerman - 19.

Absent: Senator Metcalf - 1.

Excused: Senators Fuller, von Reichbauer - 2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 796, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate resumed consideration of Senate Bill No. 3850, deferred earlier today.

#### RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the point of order raised by Senator Lee, the President finds that Senate Bill No. 3850 is a measure which deals with the establishing of job placement and training programs and contains an appropriation.

"The President, therefore, finds that Senate Bill No. 3850 comes within the provisions of section one and section two of House Concurrent Resolution No. 32, and that it is properly before the Senate."

#### RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the point of order raised by Senator Lee, the President finds that Senate Bill No. 3850 is a measure which deals with the establishment of job placement and training programs by creating the private sector job placement program.

"The amendments proposed by the Senate Committee on Ways and Means also deals with the establishment of job placement and training programs by creating the jobs again council.

"The President, therefore, finds that the proposed amendments do not expand the scope and object of the bill and that the point of order is not well taken."

The Committee on Ways and Means amendments on page 5, line 16, and page 6, line 1, were ruled in order.

The President declared the question before the Senate to be adoption of the Committee on Ways and Means amendments.

The motion by Senator Gaspard carried and the committee amendments were adopted.

#### MOTIONS

On motion of Senator Bluechel, Senator Kiskaddon was excused.

On motion of Senator McDermott, the following title amendment was adopted: On page 1, line 3 of the title, strike "providing an effective date;"

On motion of Senator McDermott, the rules were suspended, Engrossed Senate Bill No. 3850 was advanced to third reading, the second reading considered the third, and the bill as placed on final passage.

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3850.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Bill No. 3850, and the bill passed the Senate by the following vote: Yeas, 36; nays, 10; absent, 00; excused, 03.

Voting yea: Senators Barr, Bauer, Bender, Bottiger, Conner, Deccio, Fleming, Gaspard, Goltz, Granlund, Haley, Hansen, Hemstad, Hughes, Hurley, Lee, McCaslin, McDermott, McManus, Moore, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 36.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Guess, Hayner, Jones, Metcalf, Newhouse, Sellar - 10.

Excused: Senators Fuller, Kiskaddon, von Reichbauer - 3.

ENGROSSED SENATE BILL NO. 3850, having received the 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 President advanced the Senate to the seventh order of business.

#### THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 240, by Committee on Constitution, Elections and Ethics (originally sponsored by Representatives Heck, Vander Stoep, J. King, Lewis, Brekke, Patrick, Fisch, Fisher, Zellinsky, Pruitt, Barnes, Miller, Long, Jacobsen, Tanner, Johnson, Ristuben and Garrett) (by Secretary of State request)

Revising procedures for mail voting.

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

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 240, as previously amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute House Bill No. 240, as previously amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 29; nays, 17; absent, 00; excused, 03.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hemstad, Hughes, McDermott, McManus, Moore, Owen, Peterson, Quigg, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Zimmerman - 29.

Voting nay: Senators Benitz, Clarke, Craswell, Deccio, Guess, Haley, Hayner, Hurley, Jones, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Rasmussen, Woody - 17.

Excused: Senators Fuller, Kiskaddon, von Reichbauer - 3.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 240, as previously 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 President returned the Senate to the sixth order of business.

#### SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 127, by Committee on Ways and Means (originally sponsored by Representatives Kreidler, Grimm, Walk, Belcher, Zellinsky and Garrett)

Modifying the manner by which travel reimbursement rates for state employees are set.

The bill was read the second time.

#### MOTIONS

On motion of Senator McDermott, the following Committee on Ways and Means amendment was adopted:

On page 4, delete all material following line 11

On motion of Senator McDermott, the following title amendment was adopted:

On page 1, beginning on line 7 of the title, after "RCW 43.03.010;" delete all material down to and including "43.19 RCW;" on line 8 of the title

On motion of Senator McDermott, the rules were suspended, Engrossed Substitute House Bill No. 127, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage. Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 127, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute House Bill No. 127, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 40; nays, 06; absent, 00; excused, 03.

Voting yea: Senators Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Deccio, Fleming, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, McCaslin, McDermott, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 36.

Voting nay: Senators Barr, Craswell, Hayner, Lee, Metcalf, Zimmerman - 6.

Excused: Senators Fuller, Kiskaddon, von Reichbauer - 3.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 127, 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

SECOND SUBSTITUTE HOUSE BILL NO. 295, by Committee on Ways and Means (originally sponsored by Representatives Belcher, Hankins, Kreidler, Walk, Niemi, Ellis, Powers, Lewis, Allen, Johnson, Lux, Jacobsen, Todd, Halsan, Betrozoff, Vander Stoep, Patrick, D. Nelson and Vekich)

Requiring state employees to be paid twice a month.

The bill was read the second time.

#### MOTIONS

On motion of Senator McDermott, the following Committee on Ways and Means amendments were considered and adopted simultaneously:

On page 7, line 12, delete "2,531,000" and insert "1,121,000"

On page 7, line 14, delete "30,000" and insert "13,000"

On page 7, line 16, delete "1,824,000" and insert "807,000"

On page 7, line 17, delete "4,944,000" and insert "2,500,000"

On motion of Senator McDermott, the rules were suspended, Second Substitute House Bill No. 295, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Hemstad: "Senator McDermott, I am a supporter of this bill, however, I am concerned about the money appropriated. Are you satisfied that the dollar amount that is now found in this bill is going to allow OFM and through that agency to have sufficient resources to be able to carry it out effectively?"

Senator McDermott: "Yes."

Senator Hemstad: "And if I may pursue a little further. Was there any detailed analysis of the amount of money and how it was going to be spent—or was it simply sort of pulled out of the air?"

Senator McDermott: "Senator Hemstad, the matter of fiscal notes is one of the more arcane subjects that we delve into in Olympia. If you ask an agency that doesn't want to do something how much it's going to cost, it always costs about ten times more than it would, but if you ask them something they want to do, they can always do it for about half of what it really costs. So, we have here an issue—I'm pretty sure they didn't want to do it. As we looked at the figures, it looked to us after our analysis, that they could do it for about half of what they said they needed. We're quite sure that work always gets done within the money available to us.

Further debate ensued.

#### POINT OF INQUIRY

Senator Deccio: "Senator McDermott—a very serious question. Can you tell me whether the deductions and contributions will be made twice monthly or will they be taken out of one of the two checks during the month?"

Senator McDermott: "Senator Deccio, I must confess that I'm not sure exactly how the computer will be programmed, but I'm certain that it's possible to take out the contributions on a twice-monthly basis. I get paid twice a month and it's a computerized check and I know private industry can do it, so I know it can happen in government. They take out deductions at the beginning of the month for something that only happens once a month. It's really no problem—you just have to tell the computer what you want to do and it can do it, and I don't know how they will choose to program the computers, but I'm sure it can be done."

Further debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Second Substitute House Bill No. 295, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Second Substitute House Bill No. 295, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 26; nays, 20; absent, 00; excused, 03.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hemstad, Hughes, McDermott, McManus, Moore, Owen, Peterson, Pullen, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 26.

Voting nay: Senators Barr, Benitz, Bluechel, Clarke, Craswell, Deccio, Guess, Haley, Hansen, Hayner, Hurley, Jones, Lee, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Sellar, Zimmerman - 20.

Excused: Senators Fuller, Kiskaddon, von Reichbauer - 3.

SECOND SUBSTITUTE HOUSE BILL NO. 295, 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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 495, by Committee on Ways and Means (originally sponsored by Representatives Grimm, Monohon, Miller, R. King, Brough, Egger, Fiske, Charnley, Holland, Garrett, Van Dyken, Ebersole, Patrick, Jacobsen, Struthers, Zellinsky, Tilly, Dellwo, Vander Stoep, Heck, Ristuben, Powers, Halsan, Todd, Pruitt, Appelwick, Fisch, Fisher, Crane, D. Nelson, Tanner, Wang,

Walk, McClure, Hine, Gallagher, Martinis, Kreidler, Burns, Niemi, Locke, Isaacson, Vekich, Kaiser, McMullen, Lux, Braddock, Rust, Brekke, B. Williams, Belcher, Moon, Sutherland, O'Brien, Lewis, Armstrong and Johnson)

Providing post-retirement adjustments for public retirement systems.

The bill was read the second time.

#### MOTIONS

On motion of Senator McDermott, the following Committee on Ways and Means amendments were considered and adopted simultaneously:

On page 1, line 11, after "July 1," delete "1983" and insert "1978"

On page 1, line 25, after "July 1," delete "1983" and insert "1978"

On page 2, line 11, after "July 1," delete "1983" and insert "1978"

On page 2, line 28, after "July 1," delete "1983" and insert "1978"

On motion of Senator McDermott, the following Committee on Ways and Means amendments were considered and adopted simultaneously:

On page 3, line 12, after "July 1," delete "1983" and insert "1978"

On page 3, line 22, after "appropriated" delete "\$4,178,000" and insert "\$3,600,000"

On page 3, line 25, after "(1)" delete "\$3,747,000" and insert "\$3,212,000"

On page 3, line 27, after "(a)" delete "\$1,252,000" and insert "\$1,025,000"

On page 3, line 29, after "(b)" delete "\$2,444,000" and insert "\$2,136,000"

On page 3, line 34, after "(2)" delete "\$431,000" and insert "\$388,000"

On motion of Senator McDermott, the following Committee on Ways and Means amendments were considered and adopted simultaneously:

On page 3, line 35, after "University of Washington..." delete "\$220,000 and insert "\$193,000"

On page 4, line 1, after "Washington State University..." delete "\$180,000" and insert "\$171,000"

On page 4, line 2, after "Eastern Washington University..." delete "\$7,000" and insert "\$4,000"

On page 4, line 3, after "Eastern Washington University..." delete "\$10,000" and insert "\$9,000"

On page 4, line 4, after "Central Washington University..." delete "\$14,000" and insert "\$11,000"

On motion of Senator Zimmerman, Senator Pullen was excused.

On motion of Senator McDermott, the rules were suspended, Engrossed Substitute House Bill No. 495, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage. Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 495, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute House Bill No. 495, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 38; nays, 06; absent, 01; excused, 04.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Lee, McDermott, McManus, Metcalf, Moore, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vogniid, Warnke, Williams, Wojahn, Woody, Zimmerman - 38.

Voting nay: Senators Clarke, Craswell, Deccio, Hayner, Jones, McCaslin - 6.

Absent: Senator Newhouse - 1.

Excused: Senators Fuller, Kiskaddon, Pullen, von Reichbauer - 4.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 495, 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. 3834, by Senators Bottiger, Haley, Moore, Bender and Wojahn  
Equalizing the authority of municipalities to impose local sales taxes.

The bill was read the second time.

## MOTION

Senator McDermott moved adoption of the following amendment by Senator Pullen:

On page 1, line 6, strike the balance of the act and insert:

"NEW SECTION, Sec. 1. Section 2, chapter 296, Laws of 1971 ex. sess. as last amended by section 1, chapter 163, Laws of 1980 and RCW 82.14.045 are each hereby repealed."

## POINT OF INQUIRY

Senator Deccio: "Senator McDermott, I know how Metro operates their bus system, but what other methods do cities and counties have to operate their--"

Senator McDermott: "Well, many, many agencies--if this amendment passes--will have to put an end to their bus system on Monday morning, so that's pretty much it. It raises the fares to five dollars a ride--I suppose that would be one way they could do it. They really only have the fare box and taxes--and I'm not quite sure how they would operate if this amendment hangs--but I wouldn't want to discourage you in this amendment."

Senator Deccio: "This would not affect Metro?"

Senator McDermott: "Actually, I believe Metro could go right on."

Further debate ensued.

## POINT OF INQUIRY

Senator Patterson: "Senator McDermott, I want to follow up on this. This is a very interesting amendment. Kind of along the lines of what Senator Guess was talking about--as I recall there is a cap on the general fund in the next biennium of a hundred and twenty-four million dollars that goes to subsidize the Metro systems of this state. In any way, would this eliminate that and we'd have another hundred and twenty-four million in the general fund so we could pay for some of the state bills?"

Senator McDermott: "Senator, this is the last time that I'm ever going to help Senator Pullen, I can tell you that. I can't even think how to answer it the way he would. I think Senator Bottiger's right. You ought to vote 'no' on this amendment and get on with the bill."

## MOTION

On motion of Senator Peterson, the amendment by Senator Pullen was laid on the table.

## MOTION

On motion of Senator Bottiger, the rules were suspended, Senate Bill No. 3834, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Senate Bill No. 3834.

## ROLL CALL

The Secretary called the roll on final passage of Senate Bill No. 3834, and the bill passed the Senate by the following vote: Yeas, 28; nays, 17; absent, 00; excused, 04.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Haley, Hansen, Hemstad, Hughes, McDermott, McManus, Moore, Owen, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vogniuld, Warnke, Williams, Wojahn, Woody - 28.

Voting nay: Senators Benitz, Clarke, Craswell, Deccio, Guess, Hayner, Hurley, Jones, Lee, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Rasmussen, Sellar, Zimmerman - 17.

Excused: Senators Fuller, Kiskaddon, Pullen, von Reichbauer - 4.

SENATE BILL NO. 3834, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate resumed consideration of House Bill No. 72, deferred earlier today.

## MOTION

Senator McDermott moved that the following amendment by Senators McDermott and Pullen be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 82.08.010, chapter 15, Laws of 1961 as last amended by section 18, chapter 149, Laws of 1967 ex. sess. 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, expressed in the terms of money paid or delivered by a buyer to a seller, all without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, 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 for purposes of this chapter 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. 2. Section 82.12.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 1, Laws of 1975-76 2nd ex. sess. and RCW 82.12.010 are each amended to read as follows:

For the purposes of this chapter:

(1) "Value of the article used" shall mean the consideration, whether money, credit, rights, or other property, expressed in terms of money, paid or given or contracted to be paid or given by the purchaser to the seller for the article of tangible personal property, the use of which is taxable under this chapter. The term includes, in addition to the consideration paid or given or contracted to be paid or given, the amount of any tariff or duty paid with respect to the importation of the article used. In case the article used is acquired by lease or by gift or is extracted, produced, or manufactured by the person using the same or is sold under conditions wherein the purchase price does not represent the true value thereof, the value of the article used shall be determined as nearly as possible according to the retail selling price at place of use of similar products of like quality and character under such rules and regulations as the department of revenue may prescribe.

In case the articles used are acquired by bailment, the value of the use of the articles so used shall be in an amount representing a reasonable rental for the use of the articles so bailed, determined as nearly as possible according to the value of such use at the places of use of similar products of like quality and character under such rules and regulations as the department of revenue may prescribe: PROVIDED, That in case any such articles of tangible personal property are used in respect to the construction, repairing, decorating, or improving of, and which become or are to become an ingredient or component of, new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing or attaching of any such articles therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, then the value of the use of such articles so used shall be determined according to the retail selling price of such articles, or in the absence of such a selling price, as nearly as possible according to the retail selling price at place of use of similar products of like quality and character or, in the absence of either of these selling price measures, such value may be determined upon a cost basis, in any event under such rules and regulations as the department of revenue may prescribe.

In the case of articles manufactured or produced by the user and used in the manufacture or production of products sold or to be sold to the department of defense of the United States,



the value of the articles used shall be determined according to the value of the ingredients of such articles.

(2) "Use," "used," "using," or "put to use" shall have their ordinary meaning, and shall mean the first act within this state by which the taxpayer takes or assumes dominion or control over the article of tangible personal property (as a consumer), and include installation, storage, withdrawal from storage, or any other act preparatory to subsequent actual use or consumption within this state;

(3) "Taxpayer" and "purchaser" include all persons included within the meaning of the word "buyer" and the word "consumer" as defined in chapters 82.04 and 82.08 RCW;

(4) "Retailer" means every seller as defined in RCW 82.08.010 and every person engaged in the business of selling tangible personal property at retail and every person required to collect from purchasers the tax imposed under this chapter;

(5) The meaning ascribed to words and phrases in chapters 82.04 and 82.08 RCW, insofar as applicable, shall have full force and effect with respect to taxes imposed under the provisions of this chapter. "Consumer," in addition to the meaning ascribed to it in chapters 82.04 and 82.08 RCW insofar as applicable, shall also mean any person who distributes or displays, or causes to be distributed or displayed, any article of tangible personal property, except newspapers, the primary purpose of which is to promote the sale of products or services.

Sec. 3. Section 16, chapter 10, Laws of 1982 as amended by section 1, chapter 13, Laws of 1982 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 thirty-three one-hundredths of one percent.

(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.

Sec. 4. Section 82.32.210, chapter 15, Laws of 1961 as amended by section 3, chapter 89, Laws of 1967 ex. sess. and RCW 82.32.210 are each amended to read as follows:

If any tax, increase, or penalty or any portion thereof is not paid within fifteen days after it becomes due, the department of revenue may issue a warrant under its official seal (~~directed to the sheriff of any county of the state, commanding him to levy upon and sell the real and/or personal property of the taxpayer found within his county, or so much thereof as may be necessary, for the payment of the amount of such warrant~~) in the amount of such unpaid sums, together with interest thereon at the rate of one percent of the amount of such warrant for each thirty days or portion thereof after the date of such warrant (~~plus the cost of executing the warrant, and return the warrant to the department of revenue and pay to it the money collected by virtue thereof within sixty days after the receipt of the warrant~~). If, however, the department of revenue believes that a taxpayer is about to cease business, leave the state, or remove or dissipate the assets out of which taxes or penalties might be satisfied and that any tax or penalty will not be paid when due, it may declare the tax or penalty to be immediately due and payable and may issue a warrant immediately.

~~(If any warrant issued under this chapter is not paid within thirty days after it has been filed with the clerk of the superior court, or if any taxpayer shall, for three consecutive reporting periods, be delinquent in the transmission to the department of revenue of retail sales tax collected by him, the department of revenue may by order issued under its official seal, revoke the certificate of registration of the taxpayer against whom the warrant was issued, and, if such order is entered, a copy thereof shall be posted in a conspicuous place at the main entrance to the taxpayer's place of business and shall remain posted until such time as the warrant has been paid. Any certificate so revoked shall not be reinstated, nor shall a new certificate of registration be issued to the taxpayer, until the amount due on the warrant has been paid, or provisions for payment satisfactory to the department of revenue have been entered, and until the taxpayer has deposited with the department of revenue such security for payment of any taxes, increases, and penalties, due or which may become due in an amount and under such terms and conditions as the department of revenue may require, but the amount of the security shall not be greater than one-half the estimated average annual liability of the taxpayer.)~~ The department shall file a copy of the warrant with the clerk of the superior court of any county of the state in which real and/or personal property of the taxpayer may be found. Upon filing, the clerk shall enter in the judgment docket, the name of the taxpayer mentioned in the warrant and in appropriate columns the amount of the tax or portion thereof and any increases and penalties for which the warrant is issued and the date when the copy is filed, and thereupon the amount of the warrant so docketed shall become a specific lien upon all goods, wares, merchandise, fixtures, equipment, or other personal property used in the conduct of the business of the taxpayer against whom the warrant is issued, including property owned by third persons who have a beneficial interest, direct or indirect, in the operation of the business, and no sale or transfer of the personal property in any way affects the lien. The lien shall not be superior, however, to bona fide interests of third persons which had vested prior to the filing of

the warrant when the third persons do not have a beneficial interest, direct or indirect, in the operation of the business, other than the securing of the payment of a debt or the receiving of a regular rental on equipment: PROVIDED, HOWEVER, That the phrase "bona fide interests of third persons" does not include any mortgage of real or personal property or any other credit transaction that results in the mortgagee or the holder of the security acting as trustee for unsecured creditors of the taxpayer mentioned in the warrant who executed the chattel or real property mortgage or the document evidencing the credit transaction. The amount of the warrant so docketed shall thereupon also become a lien upon the title to and interest in all other real and personal property of the taxpayer against whom it is issued the same as a judgment in a civil case duly docketed in the office of the clerk. The warrant so docketed shall be sufficient to support the issuance of writs of garnishment in favor of the state in the manner provided by law in the case of judgments wholly or partially unsatisfied.

NEW SECTION, Sec. 5. There is added to chapter 82.32 RCW a new section to read as follows:

If any warrant issued under this chapter is not paid within thirty days after it has been filed with the clerk of the superior court, or if any taxpayer is delinquent, for three consecutive reporting periods, in the transmission to the department of revenue of retail sales tax collected by him, the department of revenue may, by order issued under its official seal, revoke the certificate of registration of the taxpayer against whom the warrant was issued, and, if the order is entered, a copy thereof shall be posted in a conspicuous place at the main entrance to the taxpayer's place of business and shall remain posted until such time as the warrant has been paid. Any certificate so revoked shall not be reinstated, nor shall a new certificate of registration be issued to the taxpayer, until the amount due on the warrant has been paid, or provisions for payment satisfactory to the department of revenue have been entered, and until the taxpayer has deposited with the department of revenue such security for payment of any taxes, increases, and penalties, due or which may become due in an amount and under such terms and conditions as the department of revenue may require, but the amount of the security shall not be greater than one-half the estimated average annual liability of the taxpayer.

Sec. 6. Section 82.32.220, chapter 15, Laws of 1961 as amended by section 6, chapter 304, Laws of 1961 and RCW 82.32.220 are each amended to read as follows:

(The sheriff shall file with the clerk of the superior court of his county a copy of the warrant, and thereupon the clerk shall enter in the judgment docket, the name of the taxpayer mentioned in the warrant and in appropriate columns the amount of the tax or portion thereof and any increases and penalties for which the warrant is issued and the date when such copy is filed, and thereupon the amount of such warrant so docketed shall become a specific lien upon all goods, wares, merchandise, fixtures, equipment, or other personal property used in the conduct of the business of the taxpayer against whom such warrant is issued, including property owned by third persons who have a beneficial interest, direct or indirect, in the operation of the business, and no sale or transfer of such personal property shall in any way affect such lien. The lien shall not be superior, however, to bona fide interests of third persons which had vested prior to the filing of the warrant when such third persons do not have a beneficial interest, direct or indirect, in the operation of the business, other than the securing of the payment of a debt or the receiving of a regular rental on equipment: PROVIDED, HOWEVER, That the phrase "bona fide interests of third persons" shall not include any mortgage of real or personal property or any other credit transaction that results in the mortgagee or the holder of the security acting as trustee for unsecured creditors of the taxpayer mentioned in the warrant who executed such chattel or real property mortgage or the document evidencing such credit transaction. The amount of such warrant so docketed shall thereupon also become a lien upon the title to and interest in all other real and personal property of the taxpayer against whom it is issued the same as a judgment in a civil case duly docketed in the office of such clerk, and the sheriff shall thereupon proceed upon the same in all respects and with like effect as prescribed by law with respect to execution or other process issued against rights or property upon judgments of the superior court. Such warrants so docketed shall be sufficient to support the issuance of writs of garnishment in favor of the state in the manner provided by law in the case of judgments wholly or partially unsatisfied.)) The department of revenue may issue an order of execution, pursuant to a filed warrant, under its official seal directed to the sheriff of the county in which the warrant has been filed, commanding him to levy upon and sell the real and/or personal property of the taxpayer found within his county, or so much thereof as may be necessary, for the payment of the amount of the warrant, plus the cost of executing the warrant, and return the warrant to the department of revenue and pay to it the money collected by virtue thereof within sixty days after the receipt of the warrant. The sheriff shall thereupon proceed upon the same in all respects and with like effect as prescribed by law with respect to execution or other process issued against rights or property upon judgments of the superior court.

The sheriff shall be entitled to fees as provided by law for his services in levying execution on a superior court judgment and the clerk shall be entitled to a filing fee as provided by law, which shall be added to the amount of the warrant.

The proceeds received from any sale shall be credited upon the amount due under the warrant and when the final amount due is received, together with interest, penalties, and costs, the judgment docket shall show the claim for taxes to be satisfied and the clerk of the court shall so note upon the docket. Any surplus received from any sale of property shall be paid to the taxpayer or to any lien holder entitled thereto. If the return on the warrant shows that the same has not been satisfied in full, the amount of the deficiency shall remain the same as a judgment against the taxpayer which may be collected in the same manner as the original amount of the warrant.

Sec. 7. Section 82.32.230, chapter 15, Laws of 1961 as amended by section 84, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.32.230 are each amended to read as follows:

In the discretion of the department of revenue, ~~((a warrant))~~ an order of execution of like terms, force, and effect may be issued and directed to any agent of the department authorized to collect taxes, and in the execution thereof such agent shall have all the powers conferred by law upon sheriffs, but shall not be entitled to any fee or compensation in excess of the actual expenses paid in the performance of such duty, which shall be added to the amount of the warrant.

Sec. 8. Section 3, chapter 94, Laws of 1970 ex. sess. as last amended by section 1, chapter 211, Laws of 1982 and RCW 82.14.020 are each amended to read as follows:

For purposes of this chapter:

(1) A retail sale consisting solely of the sale of tangible personal property shall be deemed to have occurred at the retail outlet at or from which delivery is made to the consumer but, for purposes of this subsection, a central distribution center at which no orders for merchandise are taken shall not be deemed a retail outlet;

(2) A retail sale consisting essentially of the performance of personal business or professional services shall be deemed to have occurred at the place at which such services were primarily performed;

(3) A retail sale consisting of the rental of tangible personal property shall be deemed to have occurred (a) in the case of a rental involving periodic rental payments, at the primary place of use by the lessee during the period covered by each payment, or (b) in all other cases, at the place of first use by the lessee;

(4) A retail sale within the scope of the second paragraph of RCW 82.04.050, and a retail sale of taxable personal property to be installed by the seller shall be deemed to have occurred at the place where the labor and services involved were primarily performed;

(5) A retail sale consisting of the providing to a consumer of competitive telephone service, as defined in RCW 82.16.010, other than a sale of tangible personal property under subsection (1) of this section or a rental of tangible personal property under subsection (3) of this section, shall be deemed to have occurred at the situs of the primary telephone or other instrument through which the competitive telephone service is rendered;

(6) "City" means a city or town;

(7) The meaning ascribed to words and phrases in chapters 82.04, 82.08 and 82.12 RCW, as now or hereafter amended, insofar as applicable, shall have full force and effect with respect to taxes imposed under authority of this chapter;

(8) "Taxable event" shall mean any retail sale, or any use of an article of tangible personal property, upon which a state tax is imposed pursuant to chapter 82.08 or 82.12 RCW, as they now exist or may hereafter be amended: PROVIDED, HOWEVER, That the term shall not include a retail sale taxable pursuant to RCW 82.08.150, as now or hereafter amended;

(9) "Treasurer or other legal depository" shall mean the treasurer or legal depository of a county or city.

NEW SECTION. Sec. 9. There is added to chapter 82.08 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 does not apply to the sale of precious metal bullion or monetized bullion: 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 chromium, 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. 10. There is added to chapter 82.12 RCW a new section to read as follows:

The tax levied by RCW 82.12.020 does not apply to the sale of precious metal bullion or monetized bullion. 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 chromium, 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.

Sec. 11. Section 39, chapter 37, Laws of 1980 as amended by section 1, chapter 5, Laws of 1982 1st ex. sess. and RCW 82.08.0273 are each amended to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales to nonresidents of this state of tangible personal property for use outside this state when the purchaser has applied for and received from the department of revenue a permit certifying (1) that ~~((he))~~ the purchaser is a bona fide resident of a state or possession or Province of Canada other than the state of Washington, (2) that such state, possession, or Province of Canada does not impose a retail sales tax or use tax of three percent or more or, if imposing such a tax, permits Washington residents exemption from otherwise taxable sales by reason of their residence, and (3) that he or she does agree, when requested, to grant the department of revenue access to such records and other forms of verification at his or her place of residence to assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this section must display a nonresident permit as herein provided, and any vendor making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable, shall be renewable annually, and shall be issued by the department of revenue upon payment of a fee of ~~((five))~~ one dollar((s)). The department may in its discretion designate independent agents for the issuance of permits, according to such standards and qualifications as the department may prescribe. Such agents shall pay over and account to the department for all permit fees collected, after deducting as a collection fee the sum of ~~((one dollar))~~ fifty cents for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of perjury. Any person making tax exempt purchases by displaying a permit not his or her own, or a counterfeit permit, with intent to violate the provisions of this section shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit, and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due.

NEW SECTION. Sec. 12. Section 20, chapter 22, Laws of 1982 1st ex. sess. and RCW 35.21.285 are each repealed.

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 July 15, 1983."

#### MOTION

On motion of Senator Clarke, further consideration of House Bill No. 72 was deferred.

#### MOTION

At 9:57 p.m., on motion of Senator Shinpoch, the Senate adjourned until 10:00 a.m., Thursday, May 5, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

## ELEVENTH DAY

---

### MORNING SESSION

---

Senate Chamber, Olympia, Thursday, May 5, 1983

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Hemstad and Quigg.

The Sergeant at Arms Color Guard, consisting of Pages Bill Morse and Valya Coole, presented the Colors. Reverend Wallace F. Misterek, pastor of Trinity Lutheran Church of Olympia, offered the prayer.

#### MOTION

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

#### MOTION

At 10:08 a.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The Senate was called to order at 11:35 a.m. by President Cherberg.

#### MOTION

At 11:35 a.m., on motion of Senator Shinpoch, the Senate recessed until 1:30 p.m.

### AFTERNOON SESSION

The Senate was called to order at 1:30 p.m. by President Cherberg.

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

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 43, by House Committee on Social and Health Services (originally sponsored by Representatives Ellis, Lewis, Kreidler, Hastings, Chandler, Miller, Sayan, Crane, Stratton, Nealey, Appelwick, Locke, Holland, Burns, Isaacson, Rust, Silver, Haugen, Wang, Niemi, Ballard, Sutherland, Walk, Tilly, Dellwo, Struthers, Charnley, Mitchell, Garrett, Belcher, McClure, Galloway, Long, Smith, Dickie, Todd and Clayton)

Modifying provisions concerning medical care services.

The bill was read the second time.

#### MOTIONS

On motion of Senator McManus, the following Committee on Social and Health Services amendment was adopted:

On page 3, after line 20, insert the following:

"Sec. 3. Section 17, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.08.541 are each amended to read as follows:

"Chore services," as used in this chapter, means services in performing light work and household and other personal tasks which eligible persons are unable to do for themselves because of frailty or handicapping conditions.

Persons eligible for services at no cost are adult recipients of supplemental security income ((and/or), state supplementation, or limited casualty program medical care as defined by RCW 74.09.010, and other individuals having income equal to or less than thirty percent of the state median income and resources less than a level determined by the department, and whose level of need for chore services and risk of being placed in a residential care facility have been determined by the department. Individuals determined by the department to be eligible for adult protective services are eligible to receive emergency chore services without regard to income if the services are essential to, and a subordinate part of, the adult protective services plan. Emergency chore services under adult protective services shall be provided only until the emergent situation has stabilized, not to exceed ninety days.

Those persons whose income is between thirty and forty percent of the state median income and whose level of need for chore services and risk of being placed in a residential care facility has been determined by the department are eligible for a reduced level of service based on their ability to purchase the services. The department shall develop a scale of reduced hours of service based on need and income level to be applied in these cases. Persons whose resources exceed the level determined by the department are not eligible for any reduced level service.

The department is authorized to provide chore services on a case-by-case basis to severely handicapped persons in need of attendant care whose income exceeds the criteria established in this section. Services may be provided for this purpose only to the extent necessary to allow the individual to remain in his or her own home, and no services may be authorized for more than ninety days at any one time: PROVIDED, That the department may not extend authorization for chore services to more than thirty persons at any one time whose income exceeds fifty-seven percent of the state median income.

For clients whose chore services are authorized on an hourly basis, the department shall establish a monthly lid on chore service hours, which shall be allocated to the department's community service offices. This lid shall be established at a level set by the department. The department shall also establish a monthly rate lid to apply to clients whose chore services are authorized on a monthly rate basis."

On motion of Senator McManus, the following title amendment was adopted:

On page 1, line 5 of the title, after "74.09.035;" insert "amending section 17, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.08.541;"

On motion of Senator Vognild, Senator Hughes was excused.

On motion of Senator McManus, the rules were suspended, Substitute House Bill No. 43, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Pullen: "Senator McManus, could you tell me what the fiscal impact of this particular bill is to the state?"

Senator McManus: "This has a pretty significant fiscal impact. I believe it's between five and seven million dollars and it's been accounted for in the budget."

Further debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Substitute House Bill No. 43, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute House Bill No. 43, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 01; absent, 01; excused, 01.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 46.

Voting nay: Senator Pullen - 1.

Absent: Senator Hemstad - 1.

Excused: Senator Hughes - 1.

SUBSTITUTE HOUSE BILL NO. 43, 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 President reverted the Senate to the fourth order of business.

#### MESSAGE FROM THE HOUSE

May 4, 1983

Mr. President:

The House has passed SECOND SUBSTITUTE SENATE BILL NO. 3272 with the following amendments:

On page 8, delete lines 5 through 11 and insert the following:

"(1) up to forty percent of the cost of contracting for the services of a pathologist to perform an autopsy; and

(2) up to twenty-five percent of the salary of pathologists who are primarily engaged in performing autopsies and are (a) county coroners or county medical examiners, or (b) employees of a county coroner or county medical examiner."

On page 10, line 26, after "county" strike "commissioners (((" and insert "((commissioners"

On page 10, beginning on line 29, strike "of all counties may at their" and insert "legislative authority of each county may at ((their)) its"

On page 11, strike lines 10, through 14 and renumber the remaining subsections consecutively.

On page 11, after line 21, insert the following:

"NEW SECTION. Sec. 21. The Legislative Budget Committee shall conduct a study of the medical examiner system and the staffing programs and operations of the state toxicology laboratory and shall report its findings to the legislature no later than January 1, 1984."

Renumber the remaining sections consecutively..

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Thompson, the Senate concurred in the House amendments to Second Substitute Senate Bill No. 3272.

#### POINT OF INQUIRY

Senator Rasmussen: "Senator Thompson, as I read this bill, it is setting up a reimbursement to the counties for the cost of a pathologist to perform an autopsy."

Senator Thompson: "A partial reimbursement, Senator Rasmussen."

Senator Rasmussen: "Then my question would be--we're proposing in the bill a study and it has been transferred to the Legislative Budget Committee rather than the Planning and Community Affairs. I think the Legislative Budget Committee will do a good job, but why are we starting on this system without having the study completed first?"

Senator Thompson: "Senator Rasmussen, that discussion was carried on here on the floor with regard to its initial final passage--and to repeat the explanation that the death investigation system in this state definitely requires, now, some upgrading--some training of coroners--some more adequate funding source for paying for autopsies and improvement in the laboratory facilities that back up those services. This isn't viewed, however, by persons working in this legislature and those on the Local Government Committee, as a final solution with regard to this system, and the study has two purposes. One to see how well this is working--we're putting it in place now and to get it moving toward a regional medical examiner system."

Further debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Second Substitute Senate Bill No. 3272, as amended by the House.

#### ROLL CALL

The Secretary called the roll on final passage of Second Substitute Senate Bill No. 3272, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 38; nays, 08; absent, 02; excused, 01.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hurley, Jones, Kiskaddon, McDermott, McManus, Metcalf, Moore, Owen, Patterson, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognlid, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 38.

Voting nay: Senators Benitz, Lee, McCaslin, Newhouse, Pullen, Quigg, Rasmussen, Sellar - 8.

Absent: Senators Fuller, Hemstad - 2.

Excused: Senator Hughes - 1.

SECOND SUBSTITUTE SENATE BILL NO. 3272, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### INTRODUCTION OF SPECIAL GUEST

The President introduced former Senator Reuben Knoblauch, who was seated with him on the rostrum.

There being no objection, business was suspended to permit Senator Knoblauch to address the Senate.



## MESSAGE FROM THE HOUSE

May 4, 1983

Mr. President:

The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 3766 with the following amendment:

On page 1, line 2, following "subdivisions" strike the remainder of the bill and insert:  
"adding new sections to chapter 4.92 RCW.

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

NEW SECTION, Sec. 1. A law enforcement officer, correctional guard, or other employee of the state or a political subdivision of the state shall not use a choke hold on any person unless the person poses a threat of death or serious physical injury to the officer, employee or another person. "Choke hold" includes any hold or restraint specifically designed to inhibit breathing by compression of the airway in the neck.

NEW SECTION, Sec. 2. An officer, guard or employee may only use a sleeper hold in a non-custodial setting and then only to overcome resistance or to prevent escape. A "sleeper hold" includes any hold or restraint specifically designed to inhibit blood flow through the carotid arteries of the neck.

NEW SECTION, Sec. 3. The state criminal justice training commission established in accordance with chapter 43.101 RCW shall develop training standards for the use of sleeper holds and no officer, guard or employee may use a sleeper hold who has not received training conducted consistent with these standards.

NEW SECTION, Sec. 4. Sections 1, 2 and 3 of this act are added to chapter 4.92 RCW."

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## MOTION

On motion of Senator Talmadge, the Senate did not concur in the House amendments to Engrossed Substitute Senate Bill No. 3766, and asks the House for a conference thereon.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Substitute Senate Bill No. 3766 and the House amendments thereto: Senators Talmadge, Newhouse and Fleming.

## MOTION

On motion of Senator Pullen, the Conference Committee appointments were confirmed.

## POINT OF ORDER

Senator Rasmussen: "Mr. President, a point of order. Senator Pullen raised a good question and the question is the difference between the two Houses and without the House proposal, we don't know what the differences are. We're not granting the powers of Free Conference--we're only granting the power to have a conference and see if they can settle on the differences between the House version and the Senate version--and I think that is an important point. We should try and follow through, otherwise we're granting them a free hand to do whatever they want, as we have no knowledge of what they are considering in the conference.

"I grant you we do not have Joint Rules, but we do have Senate Rules that say we should know what we're voting on."

## REMARKS BY SENATOR TALMADGE

Senator Talmadge: "Mr. President and members of the Senate. By way of explanation, my understanding is that in the House of Representatives, the bill as they passed on third reading is the bill that they have sent over to us in both instances. It is, basically, exactly the same measure that we received from the House of Representatives on this bill which was previously in dispute and the bill that follows. We simply need to get those matters into conference in order to resolve the differences between the Houses. I think the House of Representatives' position is exactly the same as it was in the regular session."

Further debate ensued.

## POINT OF INFORMATION

Senator Shinpoch: "Mr. President, a point of information. Senator Rasmussen is misspeaking what I said. At no time, did I make that statement. I never made that statement at all. I talked about what would be available when I asked for a Free Conference."

## MOTION

On motion of Senator Hayner, Senator Jones was excused.

## MESSAGE FROM THE HOUSE

May 4, 1983

Mr. President:

The House has passed REENGROSSED SUBSTITUTE SENATE BILL NO. 3817 with the following amendments:

On page 1, strike everything after the enacting clause and insert:

NEW SECTION, Sec. 1. There is hereby added to chapter 70.48 RCW a new section to read as follows:

The Washington state corrections standards board shall promulgate rules and regulations concerning the appropriate procedures for strip searches in the jails of this state. The board shall consider prisoners' civil rights and rights to privacy in adopting such rules: PROVIDED, That (1) no person may be subjected to a strip search in a county jail, detention or corrections facility by, or observed by, a member of the opposite sex, and (2) no body cavity search shall be performed in a county jail, detention or corrections facility except pursuant to a search warrant. Rules shall be promulgated no later than October 1, 1983 and all jails within the state shall be in compliance with search rules by January 1, 1984.

NEW SECTION, Sec. 2. There is hereby added to chapter 70.48 RCW a new section as follows:

Any jail within the state which shall be in violation of the rules and regulations of the state corrections standards board with respect to strip searches shall receive no state funds.

On page 1, line 1, following "seizure:" strike the remainder of the title and insert "adding new sections to chapter 70.48 RCW."

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## MOTION

On motion of Senator Talmadge, the Senate did not concur in the House amendments to Reengrossed Substitute Senate Bill No. 3817, and asks the House for a conference thereon.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Substitute Senate Bill No. 3817 and the House amendments thereto: Senators Talmadge, Hemstad and Fleming.

## MOTION

On motion of Senator Shinpoch, the Conference Committee appointments were confirmed.

There being no objection, the Senate resumed consideration of the following Message from the House, read in on May 4, 1983.

## MESSAGE FROM THE HOUSE

May 3, 1983

Mr. President:

The House refuses to recede from its amendments to SUBSTITUTE SENATE BILL NO. 3520 and once again asks the Senate to concur therein, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## MOTION

Senator Thompson moved that the Senate do not concur in the House amendments to Substitute Senate Bill No. 3520 and asks for a conference thereon.

## POINT OF ORDER

Senator Pullen: "A point of order, Mr. President. I believe there is a ruling pending on whether the amendments are within scope and object."

## REPLY BY THE PRESIDENT

President Cherberg: "Senator Pullen, the President believes that at an earlier date that you raised the point that the House amendments changed the scope and object of the bill."

Senator Pullen: "That was yesterday, Mr. President. At that time, I re-raised the point of order that if the amendments did exceed the scope and object--and I believe that I pointed out at that time that I thought that you had previously ruled that they did expand the scope and object--and you retired then to research the issue and to render the ruling once again."

## REPLY BY THE PRESIDENT

President Cherberg: "Your remarks were correct yesterday, Senator Pullen."

Senator Pullen: "Then, if the amendments are out of scope and object, should not the bill go to committee at this time?"

President Cherberg: "It is possible to ask the House to recede therefrom."

Senator Pullen: "Yes, but that was not the motion that was made and, therefore, I contend, under the rules, either we must send the bill back to committee or if we do not send the bill to committee then someone must ask the House to recede."

## REPLY BY THE PRESIDENT

President Cherberg: "The Secretary advises that on April 29, 1983, the Senate refused to concur in the House amendments to the measure and asked the House to recede therefrom. Then, later the House refused to recede from its amendments and once again asked the Senate to concur. Yesterday, Senator Pullen raised a point of order which has not been ruled upon. Therefore, the President shall make the ruling."

## RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the point of order raised by Senator Pullen, the President finds that Substitute Senate Bill No. 3520 is a measure which revises the procedures for challenging voter registration.

"The amendments proposed by the House of Representatives, while incorporating the provisions of the original bill, also authorize the use of absentee ballots by persons hospitalized within three days of an election and prohibits the publication or distribution of campaign material that resembles the official voters' pamphlet.

The President, therefore, finds that the proposed amendments do expand the scope and object of the bill and that the point of order is well taken.

"Pursuant to Rule 66, and this is not necessarily a direction, but the bill may be referred to an appropriate committee or the motion can be made to request of the House to once again recede, insist or adhere to its position."

## MOTIONS

On motion of Senator Thompson, the motion to not concur was withdrawn.

Senator Thompson moved that the Senate insist on its position on Substitute Senate Bill No. 3520 and once again asks the House to recede therefrom.

## PARLIAMENTARY INQUIRY

Senator Clarke: "A matter of parliamentary inquiry. I don't know that you would wish to rule upon that at this time, but in the event that the House should refuse and request a conference, would it then be in order for the Conference Committee to, in substance, adopt the House amendments which would expand the scope and object and if that is done, would the scope and object question, then, still be subject to challenge--even though it was recommended by a Conference Committee?"

## REPLY BY THE PRESIDENT

President Cherberg: "The President's interpretation of this rule is that any Conference Committee that may be appointed may only permit the section from the amendments--in order to save the Senate Bill--or the opportunity for the House to insist or adhere upon its position--thus figuratively killing the bill. The President believes that it would take the powers of Free Conference in order to, in a sense, write a new bill."

Senator Clarke: "Then following up then--if the Free Conference Committee writes a new bill which is beyond the scope and object of the original bill, is the scope and object point of order still subject to be raised or--"

President Cherberg: "It's the President's interpretation only if a change in the title is necessary."

Further debate ensued.

The President declared the question before the Senate to be the motion by Senator Thompson that the Senate insist on its position on Substitute Senate Bill No. 3520 and once again asks the House to recede therefrom.

The motion by Senator Thompson carried.

There being no objection, the Senate resumed consideration of House Bill 72 and the pending striking amendment by Senators McDermott and Pullen, deferred May 4, 1983.

## MOTION

Senator Rasmussen moved that the following amendment by Senators Rasmussen and Gaspard to the amendment be adopted:

On page 26, after line 8, insert the following:

"Sec. 13. Section 82.04.100, chapter 15, Laws of 1961 as amended by section 2, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.100 are each amended to read as follows:

"Extractor" means every person who from his or her own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services, for sale or for commercial or industrial use mines, quarries, takes or produces coal, oil, natural gas, ore, stone, sand, gravel, clay, mineral or other natural resource product, or fells, cuts or takes timber, Christmas trees or other natural products, or takes, cultivates, or raises fish, shellfish, or other sea or inland water foods or products. ((#)) "Extractor" does not include persons performing under contract the necessary labor or mechanical services for others or persons cultivating or raising fish in or taking fish from fresh water on their own land.

Sec. 14. Section 82.04.330, chapter 15, Laws of 1961 as amended by section 7, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.330 are each amended to read as follows:

This chapter shall not apply to any person in respect to the business of growing or producing for sale upon his own lands or upon land in which he has a present right of possession, any agricultural or horticultural produce or crop, including the raising for sale of any animal, bird, or insect, or the milk, eggs, wool, fur, meat, honey, or other substance obtained therefrom, or in respect to the sale of such products at wholesale by such grower, producer, or raiser thereof. This exemption shall not apply to any person selling such products at retail or using such products as ingredients in a manufacturing process; nor to the sale of any animal or substance obtained therefrom by a person in connection with his business of operating a stockyard or a slaughter or packing house; nor to any person in respect to the business of taking, cultivating, or raising Christmas trees or timber; nor to any association of persons whatever, whether mutual, cooperative or otherwise, engaging in any business activity with respect to which tax liability is imposed under the provisions of this chapter.

This chapter shall also not apply to any person in respect to the business of cultivating or raising fish in or taking fish from fresh water on his or her own land.

NEW SECTION. Sec. 15. There is added to chapter 82.08 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales of feed used for cultivating or raising fish in fresh water on one's own land.

Debate ensued.

## MOTION

Senator Hansen moved that the amendment to the amendment be laid on the table.

## POINT OF ORDER

Senator Pullen: "A point of order, Mr. President. Senator Hansen made a speech and then made a motion, so he's out of order."

## REPLY BY THE PRESIDENT

President Cherberg: "Senator Pullen's remarks are well taken."

## MOTION

On motion of Senator Deccio, the striking amendment by Senators McDermott and Pullen was laid on the table.

## MOTION

On motion of Senator McDermott, the following title amendments were considered and adopted simultaneously:

On page 1, line 1 of the title, after "taxation;" insert "amending section 82.04.100, chapter 15, Laws of 1961 as amended by section 2, chapter 173, Laws of 1965 ex. sess. and RCW 82.04-.100; amending section 82.04.330, chapter 15, Laws of 1961 as amended by section 7, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.330; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW;"

On page 1, line 3 of the title, after "83.08.010," insert "amending Section 39, chapter 37, Laws of 1980 as amended by section 1, chapter 5, Laws of 1982 1st ex. sess. and RCW 82.08.0273;"

On page 1, line 6 of the title after "82.12.010;" insert: "amending section 82.04.250, chapter 15, Laws of 1961 as last amended by Section 2, chapter 172, Laws of 1981 and RCW 82.04.250;"

On page 1, line 14, after "RCW;" insert: "amending 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; amending section 82.04.250, chapter 15, Laws of 1961 as last amended by section 2, chapter 172, Laws of 1981 and RCW 82.04.250; creating a new section;"

On page 1, line 14 of the title, following "RCW;" insert "adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW;"

On page 1, line 14, after "RCW;" insert: "adding a new chapter to Title 84 RCW; adding a new section to chapter 84.55 RCW" creating a new section: prescribing penalties;"

On page 1, line 14 of the title, following "82.32 RCW;" insert "adding new sections to chapter 82.04 RCW; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW;"

## MOTION

On motion of Senator McDermott, the rules were suspended, House Bill No. 72, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of House Bill No. 72, as amended by the Senate.

## ROLL CALL

The Secretary called the roll on final passage of House Bill No. 72, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 36; nays, 12; absent, 00; excused, 01.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Clarke, Craswell, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Sellar, Thompson, Vognild, von Reichbauer, Warnke, Zimmerman - 36.

Voting nay: Senators Bottiger, Conner, Deccio, Fleming, Hurley, Rasmussen, Rinehart, Shinpoch, Talmadge, Williams, Wojahn, Woody - 12.

Excused: Senator Jones - 1.

HOUSE BILL NO. 72, 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. 3780, by Senators Fleming, Jones, McManus, McDermott and Deccio (by Department of Social and Health Services request)

Modifying provisions relating to nursing homes.

## MOTIONS

On motion of Senator McDermott, Substitute Senate Bill No. 3780 was substituted for Senate Bill No. 3780 and the substitute bill was placed on second reading and read the second time.

On motion of Senator McDermott, further consideration of Substitute Senate Bill No. 3780 was deferred.

## SECOND READING

HOUSE BILL NO. 595, by Representatives Ellis, Lewis, Dickie, Clayton, Smith, Chandler, Kaiser and Grimm

Establishing the East Selah reregulating reservoir project.

The bill was read the second time.

## MOTION

On motion of Senator McDermott, the rules were suspended, House Bill No. 595 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Pullen: "Senator McDermott, I am usually quite sympathetic to projects of this type, but I'm wondering how this might impact our bond risk?"

Senator McDermott: "Senator Pullen, before we go home from this special legislature we will deal with the question of the debt limit. I think the health of this state requires us to do something. I hope it will be a bipartisan effort and I'm quite sure it will be."

Senator Pullen: "I would assume then that you would feel that anyone who votes for this particular measure should also be prepared to vote for the debt limitation limit increase?"

Senator McDermott: "Senator Pullen, I have learned through some experience that consistency is the hobgoblin in small minds and I scarcely never expected, but I certainly would appreciate it."

Further debate ensued.

The President declared the question before the Senate to be the roll call on final passage of House Bill No. 595.

## ROLL CALL

The Secretary called the roll on final passage of House Bill No. 595, and the bill passed the Senate by the following vote: Yeas, 37; nays, 10; absent, 01; excused, 01.

Voting yea: Senators Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Hansen, Hayner, Hemstad, Hughes, Kiskaddon, Lee, McDermott, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Woody, Zimmerman - 37.

Voting nay: Senators Barr, Craswell, Guess, Haley, Hurley, McCaslin, Metcalf, Pullen, Rasmussen, Wojahn - 10.

Absent: Senator Williams - 1.

Excused: Senator Jones - 1.

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.

There being no objection, the Senate resumed consideration of Substitute Senate Bill No. 3780, deferred earlier today.

## MOTIONS

On motion of Senator Fleming, the following amendment by Senators McDermott, Deccio, Fleming and Jones was adopted:

On page 23, line 1 after "mean" strike all material through "(c)" on line 6

On motion of Senator Fleming, the following amendment by Senators McDermott, Deccio, Fleming and Jones was adopted:

On page 23, line 7 after "act" strike "for rates effective after June 30, 1985"

On motion of Senator Deccio, the following amendments by Senators McDermott, Deccio, Fleming and Jones were considered and adopted simultaneously:

On page 23, beginning on line 23, after "(2)" strike all material through "provider." on line 26 and insert "The department shall pay a return on net equity, as defined in RCW 74.46.010, at the annual rate of twelve percent, except that this return shall not exceed two dollars per patient day."

On page 23, line 28, after "plus" strike "one" and insert ".175"

On page 24, line 5, strike "or" and insert "."

On page 24, line 5, after "1979," insert "or the regression formula rate"

#### MOTION

On motion of Senator McDermott, the rules were suspended, Engrossed Substitute Senate Bill No. 3780, was advanced to third reading the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Lee: "Mr. President, I have a question that either Senator Fleming or Senator McDermott might be able to answer.

"I'll pose it first and then see which one of them would like to respond. In the committee, when we were considering the amendment, and I mentioned at that time that I wanted the opportunity to possibly present an amendment that the problem in this bill was not necessarily solved. It relates to the situation where a nursing home already has a certificate of need and are in the process of trying to arrange for financing for that particular addition or expansion of their facility. The thing that they are concerned about is to be able to go to their bank or wherever they're going to get their funds and say 'yes, indeed, this is how we're going to get paid. We know that this is going to last us for awhile.' I did not offer that amendment that had initially been prepared because the three nursing home groups all agreed that the problem would still have been the problem when it came to that certainty of funds for expansion purposes, and they agreed that they were going to try and sit down together and come up with something for us to consider in the next session, is that your understanding?"

Senator Fleming: "Senator Lee, that is my understanding. We did have conversation with the nursing home association--all three of them. Senator McDermott assured them that there was a potential problem with a new home and the area that you're talking about and that we would definitely try to look at that during the interim--to try and see if we can't solve their problems--if they are solvable."

#### POINT OF INQUIRY

Senator Pullen: "Senator Deccio, you said a few minutes ago, as far as the industry was concerned, there were both pros and cons in the bill. Could you tell me what the cons were that you were referring to?"

Senator Deccio: "Well, I was generalizing, Senator Pullen. This bill is not a totally perfect bill and not in total agreement with the three different associations. I think they did agree that this was the best bill that could be written and if there are any differences in the bill, then they could be taken care of in the '84 session."

#### REMARKS BY SENATOR McDERMOTT

Senator McDermott: "Mr. President, partially in answer to Senator Lee's question, to stand on what Senator Fleming said, our purpose in putting in the bill, the interest rate and the variable rate on profits for efficient operation, was really an attempt to set out so that everybody would know the rules when they went out to buy a home--or to lease a home. That becomes a problem in the industry due to something in the interest rates, for which we have no control. We will then, in each legislative session, have the potential for coming back and looking at those and making adjustments if it's necessary for financing homes."

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3780.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 3780, and the bill passed the Senate by the following vote: Yeas, 45; nays, 03; absent, 00; excused, 01.

Voting yea: Senators Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Kiskaddon, Lee, McCaslin, McDermott, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 45.

Voting nay: Senators Barr, Metcalf, Pullen - 3.

Excused: Senator Jones - 1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3780, having received the 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. 4007, by Senator McDermott

Relating to public funds.

## MOTIONS

On motion of Senator McDermott, Substitute Senate Bill No. 4007 was substituted for Senate Bill No. 4007 and the substitute bill was placed on second reading and read the second time.

On motion of Senator McDermott, the rules were suspended, Substitute Senate Bill No. 4007 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 4007.

## ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 4007, and the bill passed the Senate by the following vote: Yeas, 46; nays, 01; absent, 01; excused, 01.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hughes, Hurley, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 46.

Voting nay: Senator Pullen - 1.

Absent: Senator Hemstad - 1.

Excused: Senator Jones - 1.

SUBSTITUTE SENATE BILL NO. 4007, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

On motion of Senator Shinpoch, the Senate advanced to the eighth order of business.

Senator Shinpoch moved that the Committee on Rules be relieved of further consideration of Senate Bill No. 3173 and that the rules be suspended and the bill be placed on the third reading calendar.

Debate ensued.

The President declared the question before the Senate to be the motion by Senator Shinpoch that the Committee on Rules be relieved of further consideration of Senate Bill No. 3173 and that the rules be suspended and the bill be placed on the third reading calendar.

The motion by Senator Shinpoch carried and Senate Bill No. 3173 was advanced to third reading and placed on the third reading calendar.



## MOTION

Senator Newhouse moved that the Committee on Rules be relieved of further consideration of Senate Concurrent Resolution No. 132 and that the resolution be placed on the calendar.

Debate ensued.

The President declared the question before the Senate to be the motion by Senator Newhouse to relieve the Committee on Rules of further consideration of Senate Concurrent Resolution No. 132, and that the resolution be placed on the calendar.

The motion by Senator Newhouse failed.

## MOTION

On motion of Senator Fleming, the following resolution was adopted:  
SENATE RESOLUTION 1983-72

By Senators Fleming, Peterson, Woody, Williams, Shinpoch, Goltz, Bauer, McManus, Thompson, Rinehart, Hurley, Granlund, Moore, Hansen, Talmadge, Bender, Gaspard, Owen, Wojahn, Vognild, McDermott, Barr, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Rasmussen, Sellar, von Reichbauer, Warnke and Zimmerman; Lieutenant Governor John A. Cherberg; Sid Snyder, Secretary of the Senate; Bill Gleason, Assistant Secretary of the Senate; and Ole Scarpelli, Sergeant at Arms

WHEREAS, May 5th is known in Mexico and among Mexican-Americans as Cinco de Mayo, which celebrates the independence of the Republic of Mexico from France in 1862; and

WHEREAS, Cinco de Mayo of 1862 was the date of the famous battle of Puebla, the beginning of the defeat of the French empire's hold over Mexico; and

WHEREAS, Cinco de Mayo is a day of great historical importance, signifying Mexico's struggle for independence and triumph over foreign domination; and

WHEREAS, Hispanics represent the largest ethnic group in Washington state; and

WHEREAS, Washingtonians are proud to celebrate this day with their Hispanic brothers and sisters, as we are proud to celebrate St. Patrick's Day with our Irish brothers and sisters; and

NOW, THEREFORE, BE IT RESOLVED, By the Washington State Senate assembled in session this 5th day of May, 1983, in the 48th Legislature at Olympia, That we join with all Americans in honoring our neighbor to the south, Mexico, on its independence day; and

BE IT FURTHER RESOLVED, That we pause to tell our Hispanic neighbors, friends and fellow Washingtonians that we welcome their rich heritage of art, architecture, food, culture, and history that they bring to Washington, making our state a better place in which to live.

## MOTION

Senator Lee moved that all Senators and the Lieutenant Governor be added as additional sponsors of Senate Resolution 1983-72.

Senator Pullen requested that his name not be included as a sponsor of 1983-72.

There being no objection, the Lieutenant Governor and all Senators, with the exception of Senator Pullen, will be added as additional sponsors of 1983-72.

There being no objection, the President returned the Senate to the seventh order of business.

## THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 278, by House Committee on Natural Resources (originally sponsored by Representatives Stratton, Martinis, B. Williams and Haugen)

Reorganizing the fisheries code.

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

## MOTION

On motion of Senator Vognild, Senator McDermott was excused.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 278, as previously amended by the Senate.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute House Bill No. 278, as previously amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; nays, 00; absent, 00; excused, 02.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Kiskaddon, Lee, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 47.

Excused: Senators Jones, McDermott - 2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 278, as previously 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

At 3:35 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The Senate was called to order at 4:30 p.m. by President Cherberg.

There being no objection, the President reverted the Senate to the fourth order of business.

## MESSAGES FROM THE HOUSE

May 5, 1983

Mr. President:

The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 399 and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

May 5, 1983

Mr. President:

The House has concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 740 and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

May 5, 1983

Mr. President:

The House concurred in the Senate amendments to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 231 and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

May 5, 1983

Mr. President:

The House concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 470 and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

May 5, 1983

Mr. President:

The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 495 and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

May 5, 1983

Mr. President:

The House concurred in the Senate amendments to SECOND SUBSTITUTE HOUSE BILL NO. 226 and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

## MESSAGE FROM THE HOUSE

May 5, 1983

Mr. President:

The House has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 4137 and has granted said committee the powers of Free Conference, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## REPORT OF CONFERENCE COMMITTEE

May 4, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred, SUBSTITUTE SENATE BILL NO. 4137, modifying provisions relating to adult corrections, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill as follows:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. It is the intent of the legislature to relieve the department of corrections from unacceptable burdens of cost related to storage space and manpower in the preservation of inmate personal property if the property has been abandoned by the inmate and to enhance the security and safety of the institutions.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Secretary" means the secretary of the department of corrections or the secretary's designees.

(2) "Personal property" or "property" includes both corporeal and incorporeal personal property and includes among others contraband and money.

(3) "Contraband" means all personal property including, but not limited to, alcoholic beverages and other items which a resident of a correctional institution may not have in the resident's possession, as defined in rules adopted by the secretary.

(4) "Money" means all currency, script, personal checks, money orders, or other negotiable instruments.

(5) "Owner" means the inmate, the inmate's legal representative, or any person claiming through or under the inmate entitled to title and possession of the property.

(6) "Unclaimed" means that no owner of the property has been identified or has requested, in writing, the release of the property to themselves nor has the owner of the property designated an individual to receive the property or paid the required postage to effect delivery of the property.

(7) "Inmate" means a person committed to the custody of the department of corrections or transferred from other states or the federal government.

(8) "Institutions" means those facilities set forth in RCW 72.01.050(2) and all community residential programs under the department's jurisdiction operated pursuant to chapter 72.65 RCW.

(9) "Department" means the department of corrections.

(10) "Illegal items" means those items unlawful to be possessed.

(11) "Nonprofit" has the meaning prescribed by state or federal law or rules.

NEW SECTION, Sec. 3. (1) All personal property, and any income or increment which has accrued thereon, held for the owner by an institution that has remained unclaimed for more than six months from the date the owner terminated without authorization from work training release, transferred to a different institution, or when the owner is unknown or deceased, from the date the property was placed in the custody of the institution, is presumed abandoned: PROVIDED, That the provisions of this section shall be extended for up to six months for any inmate, transferred to another institution, who has no recorded next of kin, or person to whom the unclaimed property can be sent.

(2) All personal property, and any income or increment which has accrued thereon, the inmate owner of which has been placed on escape status is presumed abandoned and shall be held for three months by the institution from which the inmate escaped. If the inmate owner remains on escape status for three months or if no other person claims ownership within three months, the property shall be disposed of as set forth in this chapter.

(3) All illegal items owned by and in the possession of an inmate shall be confiscated and held by the institution to which the inmate is assigned. Such items shall be held as required for evidence for law enforcement authorities. Illegal items not retained for evidence shall be destroyed.

NEW SECTION, Sec. 4. (1) All personal property, other than money, presumed abandoned shall be destroyed unless, in the opinion of the secretary, the property may be used or has value to a charitable or nonprofit organization, in which case the property may be donated to

the organization. A charitable or nonprofit organization does not have a claim nor shall the department or any employee thereof be held liable to any charitable or nonprofit organization for property which is destroyed rather than donated or for the donation of property to another charitable or nonprofit organization.

(2) Money presumed abandoned under this chapter shall be paid into the revolving fund set up in accordance with RCW 9.95.360.

(3) The department shall inventory all personal property prior to its destruction or donation.

(4) Before personal property is donated or destroyed, if the name and address of the owner thereof is known or if deceased, the address of the heirs as known, at least thirty days' notice of the donation or destruction of the personal property shall be given to the owner at the owner's residence or place of business or to some person of suitable age and discretion residing or employed therein. If the name or residence of the owner or the owner's heirs is not known, a notice of the action fixing the time and place thereof shall be published at least once in an official newspaper in the county at least thirty days prior to the date fixed for the action. The notice shall be signed by the secretary. The notice need not contain a description of property, but shall contain a general statement that the property is unclaimed personal property of inmates, specifying the institution at which the property is held. If the owner fails to reclaim the property prior to the time fixed in the notice, the property shall be donated or destroyed.

NEW SECTION. Sec. 5. This chapter does not apply if the inmate and the department have reached an agreement in writing regarding the disposition of the personal property.

NEW SECTION. Sec. 6. (1) The uniform disposition of unclaimed property act, chapter 63.28 RCW, does not apply to personal property in the possession of the department of corrections.

(2) Chapter 63.24 RCW, unclaimed property in hands of bailee, does not apply to personal property in the possession of the department of corrections.

Sec. 7. Section 2, chapter 40, Laws of 1972 ex. sess. as last amended by section 102, chapter 136, Laws of 1981 and RCW 72.60.102 are each amended to read as follows:

~~From and after July 1, 1973, any inmate employed in ((institutional industries shall be eligible for the benefits provided by Title 51 RCW, as now or hereafter amended, relating to industrial insurance, with the exceptions herein provided:~~

~~No inmate as herein described, until released upon an order of parole by the state board of prison terms and paroles, or discharged from custody upon expiration of sentence, or discharged from custody by order of a court of appropriate jurisdiction, or his dependents or beneficiaries, shall be entitled to any payment for temporary disability or permanent total disability as provided for in RCW 51.32.090 or 51.32.060 respectively, as now or hereafter enacted. Any inmate who is either not paid any wages or paid a gratuity shall not be considered employed under this section)) classes I, II, and IV of institutional industries as defined in RCW 72.09.100 is eligible for industrial insurance benefits as provided by Title 51 RCW. However, eligibility for benefits for either the inmate or his dependents or beneficiaries for temporary disability or permanent total disability as provided in RCW 51.32.090 or 51.32.060, respectively, shall not take effect until the inmate is released pursuant to an order of parole by the board of prison terms and paroles, or discharged from custody upon expiration of the sentence, or discharged from custody by order of a court of appropriate jurisdiction. Nothing in this section shall be construed to confer eligibility for any industrial insurance benefits to any inmate who is employed in class III or V of institutional industries as defined in RCW 72.09.100.~~

NEW SECTION. Sec. 8. Sections 1 through 6 of this act shall constitute a new chapter in Title 63 RCW.

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 1 of the title, after "corrections;" strike the remainder of the title and insert "amending section 2, chapter 40, Laws of 1972 ex. sess. as last amended by section 102, chapter 136, Laws of 1981 and RCW 72.60.102; and adding a new chapter to Title 63 RCW."

Signed by: Senators Granlund, Owen and Pullen; Representatives Dellwo, Lewis and Niemi.

#### MOTION

On motion of Senator Granlund, the Report of the Conference Committee was adopted on Substitute Senate Bill No. 4137 and the committee was granted the powers of Free Conference.

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

## THIRD READING

SUBSTITUTE SENATE BILL NO. 3173, by Senate Committee on Commerce and Labor (originally sponsored by Senators McManus, Hemstad, Talmadge, Bottiger, Zimmerman, Lee and Deccio)

Authorizing the issuance of industrial development revenue bonds for nursing home and retirement community facilities.

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

## MOTION

On motion of Senator Zimmerman, Senators Pullen and Sellar were excused.

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 3173.

## ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 3173, and the bill passed the Senate by the following vote: Yeas, 33; nays, 11; absent, 01; excused, 04.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Conner, Deccio, Fleming, Fuller, Gaspard, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Kiskaddon, Lee, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Zimmerman - 33.

Voting nay: Senators Clarke, Craswell, Goltz, Hurley, McCaslin, Metcalf, Rinehart, Shinpoch, Williams, Wojahn, Woody - 11.

Absent: Senator Benitz - 1.

Excused: Senators Jones, McDermott, Pullen, Sellar - 4.

SUBSTITUTE SENATE BILL NO. 3173, having received the 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 SENATE BILL NO. 3760, by Senators Vognild, Hurley, Guess and Hughes

Modifying provisions relating to local economic development.

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

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3760.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Bill No. 3760, and the bill passed the Senate by the following vote: Yeas, 36; nays, 08; absent, 01; excused, 04.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Kiskaddon, Lee, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Wojahn, Woody, Zimmerman - 36.

Voting nay: Senators Clarke, Craswell, Hurley, McCaslin, Metcalf, Rinehart, Shinpoch, Williams - 8.

Absent: Senator Deccio - 1.

Excused: Senators Jones, McDermott, Pullen, Sellar - 4.

ENGROSSED SENATE BILL NO. 3760, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## REPORT OF CONFERENCE COMMITTEE

May 4, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred, ENGROSSED HOUSE BILL NO. 239, regulating exit polling, have had the same under consideration, and

we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill as follows:

On page 1, beginning on line 8 of the engrossed and printed bills, after "place," strike all material through "building" on line 10 of the engrossed and printed bills and insert "or in any public area within three hundred feet of any entrance to such polling place"

Signed by: Senators Clarke, Talmadge and Hughes; Representatives Pruitt, Miller and Sommers.

MOTION

On motion of Senator Talmadge, the Report of the Conference Committee was adopted on Engrossed House Bill No. 239 and the committee was granted the powers of Free Conference.

MOTION

At 4:50 p.m., on motion of Senator Shinpoch, the Senate adjourned until 10:00 a.m., Friday, May 6, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

## TWELFTH DAY

---

### MORNING SESSION

---

Senate Chamber, Olympia, Friday, May 6, 1983

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Wojahn. On motion of Senator Vognild, Senator Wojahn was excused.

The Sergeant at Arms Color Guard, consisting of Pages Steve Bammert and Paul Vahey, presented the Colors. Reverend Wallace F. Misterek, pastor of Trinity Lutheran Church of Olympia, offered the prayer.

#### MOTION

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

#### MESSAGE FROM THE GOVERNOR

May 2, 1983

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise you that on May 2, 1983, Governor Spellman approved the following Senate Bill entitled:

Senate Bill No. 3519

Relating to the eruption of Mount St. Helens.

Sincerely,

MARILYN SHOWALTER, Counsel to the Governor

#### MESSAGE FROM THE GOVERNOR

May 5, 1983

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise you that on May 5, 1983, Governor Spellman approved the following Senate Bill entitled:

Senate Bill No. 4088

Relating to the archaeological research center.

Sincerely,

MARILYN SHOWALTER, Counsel to the Governor

#### MESSAGES FROM THE HOUSE

May 5, 1983

Mr. President:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 55,

ENGROSSED HOUSE BILL NO. 1082, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 5, 1983

Mr. President:

The Speaker has signed:

SECOND SUBSTITUTE SENATE BILL NO. 3085,

SUBSTITUTE SENATE BILL NO. 3538,

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 113, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 5, 1983

Mr. President:

The Speaker has signed:

HOUSE BILL NO. 399, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 5, 1983

Mr. President:

The House has passed:

ENGROSSED SENATE BILL NO. 3162, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

SIGNED BY THE PRESIDENT

The President signed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3272.

SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 399.

SIGNED BY THE PRESIDENT

The President signed:

ENGROSSED SENATE BILL NO. 3162.

INTRODUCTION AND FIRST READING

SCR 134 by Senators McDermott and Shinpoch

Establishing a joint interim committee on public retirement.

MOTIONS

On motion of Senator Shinpoch, the rules were suspended and Senate Concurrent Resolution No. 134 was advanced to second reading and read the second time.

On motion of Senator Shinpoch, the rules were suspended, Senate Concurrent Resolution No. 134 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

POINT OF INQUIRY

Senator Zimmerman: "Mr. President, we moved so quickly to third reading--on line 9, the last words say 'and reduce benefits to the employee.' Senator Shinpoch, we can't reduce benefits to the employees under retirement. Can you explain what that means?"

Senator Shinpoch: "Mr. President and Senator Zimmerman, if you have time in one system and you have time in another system, it may very well be when you get the pension from the two individual systems, it may be less than it would have been had it all been in one system. That does occur, in fact if you'll remember on 3226, we did add an amendment for the former statewide city employees to take care of that particular problem."

Senator Zimmerman: "In other words, certain systems would have some modifications."

Senator Shinpoch: "If we have portability, it might very well be that the one pension that you would receive would be more than the two partial pensions."

POINT OF INQUIRY

Senator Hayner: "Senator Shinpoch, as I read this very quickly, because we haven't seen it before, it appears to me that the only thing that the interim committee is to do is to talk about the inclusion of portability within the retirement systems. Is that correct?"

Senator Shinpoch: "To study the problem of part-time and the portability."

Senator Hayner: "It seems to me that the charge should be to look at all of those retirement systems again. It seems to me every single year there are bills in here by the dozens to do something more to make the pension two system equal to the pension one system and so forth. It would be very helpful if some ongoing committee would say 'no we shouldn't do that and the reason we have a new system is because we're trying to make it solvent and so forth.' Maybe we should expand this a little bit."



Senator Shinpoch: "For years, we had a public pension system and because they thought we acted honorably and in the right fashion and actuarially soundly, we eventually got to where we ignored them and did away with them. Ever since '77, since we've had the two systems, I've actively resisted changes to those systems, particularly when you're changing one system that's in and is obviously going to be leap-frogged into the next system. Everyone wants what's in the two systems to be like the PERS-1, or LEOFF or TRS. Well, if we could have afforded that we would have not had to have redone the system, so I've been one of those that's been actively fighting that and I would rather resist them and not study them and have someone start nibbling away at them."

Senator Hayner: "Did I understand you to say that you wanted them to nibble away at them?"

Senator Shinpoch: "No, what I was saying was that I'm afraid if you start a study you're going to get an advocate that says 'hey, we got this little thing in here that we need to change' and if you change that little thing--that is Senator Rasmussen's famous camel's nose and I simply don't want the camel's nose to get started. I'd rather simply try to resist all changes to the two systems to make them look like the one. Had we been able to afford that, we wouldn't have needed the two."

Senator Hayner: "I certainly agree with what you are saying, but it appears that we need an ongoing group that would continually say 'we are the guardian of the gates and here's the reason we did this,' especially when we have a third of the people every two years who are new in the House and come back and say 'you know it's time to nibble away again.' I really think that we ought to look at that very carefully."

Further debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Senate Concurrent Resolution No. 134.

#### ROLL CALL

The Secretary called the roll on final passage of Senate Concurrent Resolution No. 134, and the resolution passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Woody, Zimmerman - 48.

Excused: Senator Wojahn - 1.

SENATE CONCURRENT RESOLUTION NO. 134, having received the constitutional majority, was declared passed.

#### INTRODUCTION AND FIRST READING OF HOUSE BILLS

ESHB 55 by House Committee on Ways and Means (originally sponsored by Representative Grimm) (by Governor Spellman request)

Adopting the capital budget.

Referred to the Committee on Ways and Means.

EHB 1082 by Representative Grimm

Relating to fiscal matters.

Referred to the Committee on Ways and Means.

There being no objection, the President returned the Senate to the fourth order of business.

#### MESSAGE FROM THE HOUSE

May 5, 1983

Mr. President:

The House refuses to recede from its amendments to SENATE BILL NO. 3090 and asks the Senate for a conference thereon. The Speaker has appointed the following members as conferees: Representatives Grimm, McMullen and Fiske.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Talmadge, the request of the House for a conference on Senate Bill No. 3090 and the House amendments thereto was granted.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Senate Bill No. 3090 and the House amendments thereto: Senators Gaspard, Lee and Talmadge.

#### MOTION

On motion of Senator Bottiger, the Conference Committee appointments were confirmed.

#### MESSAGE FROM THE HOUSE

May 5, 1983

Mr. President:

The House refuses to concur in the Senate amendments to ENGROSSED HOUSE BILL NO. 2 and asks the Senate for a conference thereon. The Speaker has appointed the following members as conferees: Representatives Todd, D. Nelson and Hastings.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Bottiger, the request of the House for a conference on Engrossed House Bill No. 2 and the Senate amendments thereto was granted.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed House Bill No. 2 and the Senate amendments thereto: Senators Williams, Benitz and Bender.

#### MOTION

On motion of Senator Bottiger, the Conference Committee appointments were confirmed.

#### MESSAGE FROM THE HOUSE

May 5, 1983

Mr. President:

The House concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 39, with the exception of the amendment to page 3, line 31, and asks the Senate to recede therefrom, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Warnke, the Senate receded from the amendment to page 3, line 31, to Substitute House Bill No. 39.

The President declared the question before the Senate to be the roll call on final passage of Substitute House Bill No. 39, as amended by the Senate, but without the amendment to page 3, line 31.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute House Bill No. 39, as amended by the Senate, but without the amendment to page 3, line 31, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar,

Shinpoeh, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Woody, Zimmerman - 48.

Excused: Senator Wojahn - 1.

SUBSTITUTE HOUSE BILL NO. 39, as amended by the Senate, but without the amendment to page 3, line 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.

#### MESSAGE FROM THE HOUSE

May 5, 1983

Mr. President:

The House has passed ENGROSSED SENATE BILL NO. 3390 with the following amendments:

On page 1, line 11, following "positions" insert "unless proposed by the department and approved by the Washington State Patrol"

On page 1, line 22, after "3." strike all material through "1984" and insert "Section 2 of 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 on July 1, 1983. Section 1 of this act takes effect on July 1, 1984."

On page 1, line 4 of the title after "appropriation," insert "declaring an emergency;"

On page 1, after line 17, insert the following:

"Sec. 2. Section 11, chapter 200, Laws of 1973 1st ex. sess. as last amended by section 118, chapter 3, Laws of 1983 and RCW 46.16.605 are each amended to read as follows:

All revenue derived from the fees provided for in RCW 46.16.585 shall be forwarded to the state treasurer (~~accompanied by a proper identifying detailed report and by him~~) and be deposited to the credit of the state game fund to be used for the preservation, protection, perpetuation, and enhancement of nongame species of wildlife including but not limited to song birds, raptors, protected wildlife, rare and endangered wildlife, aquatic life, and specialized-habitat types, both terrestrial and aquatic, as well as all unclassified marine fish, shellfish, and marine invertebrates.

Administrative costs incurred by the department of licensing as a direct result of RCW 46.16.560 through 46.16.605 and 77.12.170 shall be appropriated by the legislature from the state game fund from those funds deposited therein resulting from the sale of personalized license plates. If the actual costs incurred by the department of licensing are less than that which has been appropriated by the legislature the remainder shall revert to the state game fund.

Renumber the sections following consecutively.

On page 1, line 21, after "purposes" insert "of section 1"

In line 1 of the title, after "plates;" strike "and"

In line 3 of the title, after "46.16.570;" insert "amending section 11, chapter 200, Laws of 1973 1st ex. sess. as last amended by section 118, chapter 3, Laws of 1983 and RCW 46.16.605;"

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Owen, the Senate concurred in the House amendments to Engrossed Senate Bill No. 3390.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3390, as amended by the House.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Bill No. 3390, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoeh, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Woody, Zimmerman - 48.

Excused: Senator Wojahn - 1.

ENGROSSED SENATE BILL NO. 3390, 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 President advanced the Senate to the seventh order of business.

### THIRD READING

SUBSTITUTE HOUSE BILL NO. 139, by House Committee on Financial Institutions and Insurance (originally sponsored by Representatives Lux, Zellinsky, Sanders, Broback, Garrett and Johnson) (by Insurance Commissioner request)

Modifying provisions on insurance.

### MOTIONS

On motion of Senator Deccio, the rules were suspended and Substitute House Bill No. 139 was returned to second reading and read the second time.

On motion of Senator Deccio, the following amendment by Senators Deccio and Moore was adopted:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section .09.35, chapter 79, Laws of 1947 and RCW 48.09.350 are each amended to read as follows:

(1) ~~((No)) Upon satisfaction of the requirements applicable to the formation of a domestic stock insurer, a domestic mutual insurer ((shall hereafter be converted, changed, or)) may be reorganized as a stock corporation, pursuant to a plan of reorganization as approved by the commissioner.~~

(2) ~~((Such an)) A domestic mutual insurer may be wholly reinsured in and its assets transferred to and its liabilities assumed by another mutual or stock insurer under such terms and conditions as are approved by the commissioner in advance of such reinsurance.~~

(3) The commissioner shall not approve any such reinsurance agreement which does not determine the amount of and make adequate provision for paying to policy holders of such mutual insurer, reasonable compensation for their equities as owners of such insurer, such compensation to be apportioned to policyholders as identified and in the manner prescribed in RCW 48.09.360.

Sec. 2. Section .13.02, chapter 79, Laws of 1947 as last amended by section 2, chapter 218, Laws of 1982 and RCW 48.13.020 are each amended to read as follows:

(1) No security or other investment shall be eligible for purchase or acquisition under this chapter unless it is interest bearing or interest accruing or dividend or income paying, is not then in default in any respect, and the insurer is entitled to receive for its exclusive account and benefit, the interest or income accruing thereon; except,

(a) that an insurer may acquire real property as provided in RCW 48.13.160, and

(b) that this section shall not prevent participation by an insurer in a mortgage loan if the insurer, either individually or jointly with other lenders, holds a senior participation in such mortgage or deed of trust giving it substantially the rights of a first mortgagee as to its interest in that loan.

(2) No security shall be eligible for purchase at a price above its market value except voting stock of a corporation being acquired as a subsidiary.

(3) No provision of this chapter shall prohibit the acquisition by an insurer of other or additional securities or property if received as a dividend or as a lawful distribution of assets, or if acquired pursuant to a lawful and bona fide agreement of bulk reinsurance or consolidation. Any investments so acquired through bulk reinsurance or consolidation, which are not otherwise eligible under this chapter, shall be disposed of pursuant to RCW 48.13.290 if personal property or securities, or pursuant to RCW 48.13.170 if real property.

Sec. 3. Section .15.02, chapter 79, Laws of 1947 as amended by section 2, chapter 102, Laws of 1980 and RCW 48.15.020 are each amended to read as follows:

(1) An insurer not thereunto authorized by the commissioner shall not solicit insurance business in this state, nor transact insurance business in this state except as provided in this chapter.

(2) No person shall, in this state, represent an unauthorized insurer except as provided in this chapter. This provision shall not apply to any adjuster or attorney at law representing such an insurer from time to time in this state in his professional capacity.

(3) Each violation of this section shall constitute a separate offense punishable by a fine of not ~~((less than two hundred fifty dollars nor))~~ more than ~~((ten))~~ twenty-five thousand dollars, and the commissioner, at the commissioner's discretion, may order replacement of policies improperly placed with an unauthorized insurer with policies issued by an authorized insurer. Violations may result in suspension or revocation of a license.

Sec. 4. Section .15.04, chapter 79, Laws of 1947 and RCW 48.15.040 are each amended to read as follows:

If certain insurance coverages cannot be procured from authorized insurers, such coverages, hereinafter designated as "surplus lines," may be procured from unauthorized insurers subject to the following conditions:

(1) The insurance must be procured through a licensed surplus line broker.

(2) The insurance must not be procurable, after diligent effort has been made to do so from among a majority of the insurers authorized to transact that kind of insurance in this state (~~and placing the insurance in an unauthorized insurer must not be for the purpose of securing a lower premium rate than would be accepted by any authorized insurer~~).

(3) Coverage shall not be procured from an unauthorized insurer for the purpose of securing a lower premium rate than would be accepted by any authorized insurer nor to secure any other competitive advantage.

(4) The commissioner may by regulation establish the degree of effort required to comply with subsections (2) and (3) of this section.

(5) At the time of the procuring of any such insurance an affidavit setting forth the facts referred to in ~~((subdivision))~~ subsections (2) and (3) of this section must be executed by the surplus line broker. Such affidavit shall be filed with the commissioner within thirty days after the insurance is procured.

Sec. 5. Section .15.13, chapter 79, Laws of 1947 as amended by section 5, chapter 102, Laws of 1980 and RCW 48.15.130 are each amended to read as follows:

If any surplus line broker fails to file his annual statement, or fails to remit the tax provided by RCW 48.15.120, ~~((prior to the first day of April after the tax is due, he shall be liable for a fine of one hundred dollars for each day of delinquency commencing with the first day of April))~~ by the last day of the month in which the tax becomes due, the surplus line broker shall pay the penalties provided in RCW 48.14.060. The tax may be collected by distraint, or the tax and fine may be recovered by an action instituted by the commissioner in any court of competent jurisdiction. Any fine collected by the commissioner shall be paid to the state treasurer and credited to the general fund.

Sec. 6. Section 23, chapter 241, Laws of 1969 ex. sess. and RCW 48.18.296 are each amended to read as follows:

(1) The provisions of RCW 48.18.291 through 48.18.297 shall not apply to:

(a) Contracts of insurance issued under the assigned risk plan; and

(b) Contracts of insurance, other than combination homeowners and vehicle insurance policies, providing principally general casualty or property insurance ((in addition to)) with only incidental additional vehicle insurance; and

(c) Contracts of insurance insuring more than four motor vehicles; and

(d) Any policy covering garage, automobile sales agency, repair shop, service station, or public parking place operation hazards.

Sec. 7. Section 15, chapter 181, Laws of 1982 and RCW 48.18A.035 are each amended to read as follows:

Every individual variable contract issued ~~((after May 1, 1982;))~~ shall have printed on its face or attached thereto a notice stating in substance that the policy owner shall be permitted to return the policy within ten days after it is received by the policy owner and to have the market value of the assets purchased by its premium, less taxes and investment brokerage commissions, if any, refunded, if, after examination of the policy, the policy owner is not satisfied with it for any reason. An additional ten percent penalty shall be added to any premium refund due which is not paid within thirty days of return of the policy to the insurer or agent. If a policy owner pursuant to such notice returns the policy to the insurer at its home or branch office or to the agent through whom it was purchased, it shall be void from the beginning and the parties shall be in the same position as if no policy had been issued.

Sec. 8. Section .19.41, chapter 79, Laws of 1947 and RCW 48.19.410 are each amended to read as follows:

(1) The commissioner may permit the organization and operation of examining bureaus for the examination of policies, daily reports, binders, renewal certificates, endorsements, and other evidences of insurance or of the cancellation thereof, for the purpose of ascertaining that lawful rates are being charged.

(2) A bureau shall examine documents with regard to such kinds of insurance as the commissioner may, after hearing, reasonably require to be submitted for examination. A bureau may examine documents as to such other kinds of insurance as the issuing insurers may voluntarily submit for examination. Upon request of the commissioner, a bureau shall also examine affidavits filed pursuant to RCW 48.15.040, surplus lines contracts and related documents, and shall make recommendations to the commissioner to assist the commissioner in determining whether surplus lines have been procured in accordance with chapter 48.15 RCW and rules issued thereunder.

(3) No bureau shall operate unless licensed by the commissioner as to the kinds of insurance as to which it is permitted so to examine. To qualify for a license a bureau shall:

(a) Be owned in trust for the benefit of all the 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 therefor, subject to such reasonable rules and regulations as to the obligations of insurers using its services, as to the conduct of its affairs, and as to the correction of errors and omissions in documents examined by it as are approved by the commissioner.

(c) Have no manager or other employee (~~who is connected with any rating organization or~~) who is an employee of an insurer other than to the extent that he is an employee of the bureau owned by insurers through such trust agreement.

(d) Pay to the commissioner a fee of ten dollars for issuance of its license.

(4) Such license shall be of indefinite duration and shall remain in force until revoked by the commissioner or terminated at the request of the bureau. The commissioner may revoke the license, after hearing.

(a) if the bureau is no longer qualified therefor;

(b) if the bureau fails to comply with a proper order of the commissioner;

(c) if the bureau violates or knowingly participates in the violation of any provision of this code.

(5) Any person aggrieved by any rule, regulation, act or omission of a bureau may appeal to the commissioner therefrom. The commissioner shall hold a hearing upon such appeal, and shall make such order upon the hearing as he deems to be proper.

(6) Every such bureau operating in this state shall be subject to the supervision of the commissioner, and the commissioner shall examine it as provided in chapter 48.03 RCW of this code.

(7) Every examining bureau shall keep adequate records of the outstanding errors and omissions found in coverages examined by it 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 relative to a kind of insurance if such documents are being examined by a then existing licensed bureau. Any examining bureau operating in this state immediately prior to the effective date of this code under any law of this state repealed as of such date, shall have prior right to apply for and secure a license under this section.

Sec. 9. Section 26, chapter 150, Laws of 1967 and RCW 48.20.013 are each amended to read as follows:

Every individual disability insurance policy issued after January 1, 1968, except single premium nonrenewable policies, shall have printed on its face or attached thereto a notice stating in substance that the person to whom the policy is issued shall be permitted to return the policy within ten days of its delivery to the purchaser and to have the premium paid refunded if, after examination of the policy, the purchaser is not satisfied with it for any reason. An additional ten percent penalty shall be added to any premium refund due which is not paid within thirty days of return of the policy to the insurer or agent. If a policy holder or purchaser pursuant to such notice, returns the policy to the insurer at its home or branch office or to the agent through whom it was purchased, it shall be void from the beginning and the parties shall be in the same position as if no policy had been issued.

Sec. 10. Section 1, chapter 60, Laws of 1977 and RCW 48.23.380 are each amended to read as follows:

Every individual life insurance policy issued after September 1, 1977, shall have printed on its face or attached thereto a notice stating in substance that the policy owner shall be permitted to return the policy within ten days after it is received by the policy owner and to have the premium paid refunded if, after examination of the policy, the policy owner is not satisfied with it for any reason. An additional ten percent penalty shall be added to any premium refund due which is not paid within thirty days of return of the policy to the insurer or agent. If a policy owner pursuant to such notice, returns the policy to the insurer at its home or branch office or to the agent through whom it was purchased, it shall be void from the beginning and the parties shall be in the same position as if no policy had been issued.

This section shall not apply to individual life insurance policies issued in connection with a credit transaction or issued under a contractual policy change or conversion privilege provision contained in a policy.

Sec. 11. Section 4, chapter 65, Laws of 1973 1st ex. sess. and RCW 48.44.230 are each amended to read as follows:

Every subscriber of an individual health care service plan contract issued after September 1, 1973, may return the contract to the health care service contractor or the agent through whom it was purchased within ten days of its delivery to the subscriber if, after examination of the contract, he is not satisfied with it for any reason, and the health care service contractor shall refund promptly any fee paid for such contract. Upon such return of the contract it shall be void from the beginning and the parties shall be in the same position as if no policy had been issued. Notice of the substance of this section shall be printed on the face of each such contract or be attached thereto. An additional ten percent penalty shall be added to any premium refund due which is not paid within thirty days of return of the policy to the insurer or agent.

Sec. 12. Section 12, chapter 153, Laws of 1981 as amended by section 3, chapter 200, Laws of 1982 and RCW 48.66.120 are each amended to read as follows:

Every individual medicare supplement insurance policy issued after January 1, 1982, and every certificate issued pursuant to a group medicare supplement policy after January 1, 1982, shall have prominently displayed on the first page of the policy form or certificate a notice

stating in substance that the person to whom the policy or certificate is issued shall be permitted to return the policy or certificate within thirty days of its delivery to the purchaser and to have the premium refunded if, after examination of the policy or certificate, the purchaser is not satisfied with it for any reason. An additional ten percent penalty shall be added to any premium refund due which is not paid within thirty days of return of the policy to the insurer or agent. If a policyholder or purchaser, pursuant to such notice, returns the policy or certificate to the insurer at its home or branch office or to the agent through whom it was purchased, it shall be void from the beginning and the parties shall be in the same position as if no policy or certificate had been issued.

Sec. 13. Section .19.02, chapter 79, Laws of 1947 and RCW 48.19.020 are each amended to read as follows:

Premium rates for insurance shall not be excessive, inadequate, or unfairly discriminatory. ~~((This section does not apply to casualty insurance.))~~

Sec. 14. Section .19.04, chapter 79, Laws of 1947 and RCW 48.19.040 are each amended to read as follows:

(1) Every insurer shall, before using, file with the commissioner every manual of classifications, manual of rules and rates, and every rating plan as to surety insurances, and every rating schedule, minimum rate, class rate, and rating rule as to other insurances, and every modification of any of the foregoing which it proposes. The insurer need not so file any rate on individually rated risks as described in subdivision (1) of RCW 48.19.030; except that any such specific rate made by a rating organization shall be filed. ~~((This section does not apply to casualty insurance.))~~

(2) Every such filing shall state its proposed effective date and shall indicate the character and extent of the coverage contemplated. When a filing is not accompanied by the information upon which the insurer supports such filing, and the commissioner does not have sufficient information to determine whether the filing meets the requirements of this chapter, he may require the insurer to furnish the information upon which it supports the filing. An insurer may offer in support of any filing

(a) the experience or judgment of the insurer or rating organization making the filing,

(b) the experience of other insurers or rating organizations, or

(c) any other factors which the insurer or rating organization deems relevant. A filing and any supporting information shall be open to public inspection only after the filing becomes effective.

(3) Where a filing is required no insurer shall make or issue an insurance contract or policy except in accordance with its filing then in effect, except as is provided by RCW 48.19.090.

Sec. 15. Section .19.12, chapter 79, Laws of 1947 and RCW 48.19.120 are each amended to read as follows:

(1) If at any time subsequent to the applicable review period provided in RCW 48.19.060 ~~((or)), 48.19.110, or 48.19.440,~~ the commissioner finds that a filing does not meet the requirements of this chapter, he shall, after a hearing, notice of which was given to every insurer and rating organization which made such filing, issue his order specifying in what respect he finds that such filing fails to meet the requirements of this chapter, and stating when, within a reasonable period thereafter, the filings shall be deemed no longer effective. ~~((This subsection does not apply to casualty insurance.))~~

(2) Such order shall not affect any contract or policy made or issued prior to the expiration of the period set forth in the order.

(3) Any person aggrieved with respect to any filing then in effect, other than the insurer or rating organization which made the filing, may make written application to the commissioner for a hearing thereon. The application shall specify the grounds to be relied upon by the applicant. If the commissioner finds that the application is made in good faith, that the applicant would be so aggrieved if his grounds are established, and that such grounds otherwise justify holding the hearing, he shall, within thirty days after receipt of the application, hold a hearing as required in subsection (1) of this section.

NEW SECTION. Sec. 16. There is added to chapter 48.20 RCW a new section, to be designated RCW 48.20.050, to read as follows:

There shall be a provision as follows:

**\*MISSTATEMENT OF AGE OR SEX:** If the age or sex of the insured has been misstated, all amounts payable under this policy shall be such as the premium paid would have purchased at the correct age or sex."

The amount of any underpayments which may have been made on account of any such misstatement under a disability income policy shall be paid the insured along with the current payment and the amount of any overpayment may be charged against the current or succeeding payments to be made by the insurer. Interest may be applied to such underpayments or overpayments as specified in the insurance policy form but not exceeding six percent per annum.

Sec. 17. Section 6, chapter 229, Laws of 1951 as last amended by section 12, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.20.052 are each amended to read as follows:

There shall be a provision as follows:

"TIME LIMIT ON CERTAIN DEFENSES: (a) After two years from the date of issue of this policy no misstatements except fraudulent misstatements, made by the applicant in the application for such policy shall be used to void the policy or to deny a claim for loss incurred or disability (as defined in the policy) commencing after the expiration of such two year period."

(The foregoing policy provision shall not be so construed as to affect any legal requirement for avoidance of a policy or denial of a claim during such initial two year period, nor to limit the application of section 16 of this 1983 act, RCW 48.20.172, ~~((48-20-162;))~~ 48.20.192, 48.20.202, and 48.20.212 in the event of misstatement with respect to age or occupation or other insurance.)

(A policy which the insured has the right to continue in force subject to its terms by the timely payment of premium (1) until at least age 50 or, (2) in the case of a policy issued after age 44, for at least five years from its date of issue, may contain in lieu of the foregoing the following provision (from which the clause in parentheses may be omitted at the insurer's option) under the caption "INCONTESTABLE":

"After this policy has been in force for a period of two years during the lifetime of the insured (excluding any period during which the insured is disabled), it shall become incontestable as to the statements contained in the application.")

"(b) No claim for loss incurred or disability (as defined in the policy) commencing after two years from the date of issue of this policy shall be reduced or denied on the ground that a disease or physical condition not excluded from coverage by name or specific description effective on the date of loss had existed prior to the effective date of coverage of this policy."

(More stringent provisions may be required by the commissioner in connection with individual disability policies sold without any application or with minimal applications.)

Sec. 18. Section 1, chapter 139, Laws of 1974 ex. sess. and RCW 48.20.430 are each amended to read as follows:

(1) Any disability insurance contract providing hospital and medical expenses and health care services, delivered or issued for delivery in this state more than one hundred twenty days after February 16, 1974, which provides coverage for dependent children of the insured, shall provide coverage for newborn infants of the insured from and after the moment of birth. Coverage provided in accord with this section shall include, but not be limited to, coverage for congenital anomalies of such infant children from the moment of birth.

(2) If payment of an additional premium is required to provide coverage for a child, the contract may require that notification of birth of a newly born child and payment of the required premium must be furnished to the insurer. The notification period shall be no less than sixty days from the date of birth. This subsection applies to policies issued or renewed on or after January 1, 1984.

Sec. 19. Section 1, chapter 117, Laws of 1975 1st ex. sess. and RCW 48.21.075 are each amended to read as follows:

Any employee whose compensation includes group disability or blanket disability insurance providing health care services, the premiums for which are paid in full or in part by an employer including the state of Washington, its political subdivisions, or municipal corporations, or paid by payroll deduction, may pay the premiums as they become due directly to the policyholder whenever the employee's compensation is suspended or terminated directly or indirectly as the result of a strike, lockout, or other labor dispute, for a period not exceeding six months and at the rate and coverages as the policy provides. During that period of time the policy may not be altered or changed. Nothing in this section shall be deemed to impair the right of the insurer to make normal decreases or increases of the premium rate upon expiration and renewal of the policy, in accordance with the provisions of the policy. Thereafter, if such insurance coverage is no longer available, then the employee shall be given the opportunity to ~~((purchase an individual policy at a rate consistent with rates filed by the insurer with the commissioner))~~ convert as specified in RCW 48.21.210. When the employee's compensation is so suspended or terminated, the employee shall be notified immediately by the policyholder in writing, by mail addressed to the address last on record with the policyholder, that the employee may pay the premiums to the policyholder as they become due as provided in this section.

Payment of the premiums must be made when due or the insurance coverage may be terminated by the insurer.

The provisions of any insurance policy contrary to provisions of this section are void and unenforceable after May 29, 1975.

Sec. 20. Section 2, chapter 139, Laws of 1974 ex. sess. and RCW 48.21.155 are each amended to read as follows:

(1) Any group disability insurance contract except blanket disability insurance contract, providing hospital and medical expenses and health care services, renewed, delivered or issued for delivery in this state more than one hundred twenty days after February 16, 1974, which provides coverage for the dependent children of persons in the insured group, shall provide coverage for newborn infant children of persons in the insured group from and after



the moment of birth. Coverage provided in accord with this section shall include, but not be limited to, coverage for congenital anomalies of such infant children from the moment of birth.

(2) If payment of an additional premium is required to provide coverage for a child, the contract may require that notification of birth of a newly born child and payment of the required premium must be furnished to the insurer. The notification period shall be no less than sixty days from the date of birth. This subsection applies to policies issued or renewed on or after January 1, 1984.

Sec. 21. Section .23.30, chapter 79, Laws of 1947 and RCW 48.23.300 are each amended to read as follows:

Any life insurer shall have the power to hold under agreement the proceeds of any policy issued by it, upon such terms and restrictions as to revocation by the policyholder and control by beneficiaries, and with such exemptions from the claims of creditors of beneficiaries other than the policyholder as set forth in the policy or as agreed to in writing by the insurer and the policyholder. Upon maturity of a policy in the event the policyholder has made no such agreement, the insurer shall have the power to hold the proceeds of the policy under an agreement with the beneficiaries. The insurer shall not be required to segregate funds so held but may hold them as part of its general assets.

An insurer holding proceeds while awaiting determination of the final settlement option shall accrue interest on the proceeds from the date of death or maturity at a rate not less than the lower of the average over a period of thirty-six months and the average over a period of twelve months, ending on June 30 of the calendar year next preceding the year of death or maturity, of Moody's Corporate Bond Yield Average-Monthly Average Corporates, as published by Moody's Investors Service, Inc. This interest shall become payable as part of the settlement. If Moody's Corporate Bond Yield Average-Monthly Average Corporates is no longer published by Moody's Investor Service, Inc., or if the National Association of Insurance Commissioners determines that Moody's Corporate Bond Yield Average-Monthly Average Corporates as published by Moody's Investors Service, Inc. is no longer appropriate for the determination of this interest rate, then an alternative interest rate shall be defined by rule adopted by the commissioner.

Sec. 22. Section .24.15, chapter 79, Laws of 1947 and RCW 48.24.150 are each amended to read as follows:

There shall be a provision specifying an equitable adjustment of premiums or of benefits or of both to be made in the event the age or sex of a person insured has been misstated, such provision to contain a clear statement of the method of adjustment to be used.

Sec. 23. Section 6, chapter 219, Laws of 1961 as last amended by section 2, chapter 61, Laws of 1977 and RCW 48.34.060 are each amended to read as follows:

The initial amount of credit life insurance under a group policy shall at no time exceed the amount owed by the debtor which is repayable in installments to the creditor ((or twenty-five thousand dollars, whichever is less. Nor shall the amount repayable under the contract of indebtedness extend over a period in excess of ten years, except that in case of long term agricultural real estate mortgages or agricultural short term crop production loans, the amount of insurance on the life of the debtor shall at no time exceed the amount owed by him to the creditor or fifty thousand dollars, whichever is less)) nor shall the amount repayable under the contract of indebtedness extend over a period in excess of ten years.

Sec. 24. Section .15.07, chapter 79, Laws of 1947 as last amended by section 5, chapter 181, Laws of 1982 and RCW 48.15.070 are each amended to read as follows:

Any individual while a resident of this state, or any firm or any corporation that has in its employ a qualified individual who is a resident of this state and who is authorized to exercise the powers of the firm or corporation, deemed by the commissioner to be competent and trustworthy, and while maintaining an office at a designated location in this state, may be licensed as a surplus line broker in accordance with this section.

(1) Application to the commissioner for the license shall be made on forms furnished by the commissioner.

(2) The license fee shall be one hundred dollars for each license year during any part of which the license is in force. The annual renewal date shall be determined by the commissioner. The commissioner shall adopt a rule providing for the proration, on a quarterly basis, of the license fee. The proration shall be applicable only: (a) To applicants who apply for a license after the expiration of the first quarter of any license year, or (b) to licensees whose licenses would exist for less than nine months as a result of the adoption of the annual renewal date.

(3) Prior to issuance of license the applicant shall file with the commissioner a bond in favor of the state of Washington in the penal sum of twenty thousand dollars, with authorized corporate sureties approved by the commissioner, conditioned that he will conduct business under the license in accordance with the provisions of this chapter and that he will promptly remit the taxes provided by RCW 48.15.120. The licensee shall maintain such bond in force for as long as the license remains in effect.

(4) Every applicant for a surplus line broker's license or for the renewal of a surplus line broker's license shall file with the application or request for renewal a bond in favor of the

people of the state of Washington, executed by an authorized corporate surety approved by the commissioner, in the amount of ~~((fifty))~~ one hundred thousand dollars and shall be the bonding requirement for new licensees. The licensee shall maintain such bond in force while so licensed. The bond may be continuous in form, and total aggregate liability on the bond may be limited to the amount stated in the bond. The bond shall be contingent on the accounting by the surplus line broker to any person requesting such broker to obtain insurance, for moneys or premiums collected in connection therewith. A bond issued in accordance with RCW 48.17.250 or with this subsection will satisfy the requirements of both RCW 48.17.250 and this subsection if the limit of liability is not less than the greater of the requirement of RCW 48.17.250 or the requirement of this subsection.

(5) Any bond issued pursuant to subsection (3) or (4) of this section shall remain in force until the surety is released from liability by the commissioner, or until the bond is canceled by the surety. Without prejudice to any liability accrued prior to such cancellation, the surety may cancel the bond upon thirty days' advance notice in writing filed with the commissioner.

(6) For the purposes of this section, a "qualified individual" is a natural person who has met all the requirements that must be met by an individual surplus line broker.

NEW SECTION, Sec. 25. Section 19, chapter 229, Laws of 1951, section 11, chapter 181, Laws of 1982 and RCW 48.20.182 are each repealed."

#### MOTION

On motion of Senator Deccio, the following title amendment was adopted:

On page 1, line 1 of the title, after "insurance;" strike the remainder of the title and insert "amending section .09.35, chapter 79, Laws of 1947 and RCW 48.09.350; amending section .13.02, chapter 79, Laws of 1947 as last amended by section 2, chapter 218, Laws of 1982 and RCW 48.13.020; amending section .15.02, chapter 79, Laws of 1947 as amended by section 2, chapter 102, Laws of 1980 and RCW 48.15.020; amending section .15.04, chapter 79, Laws of 1947 and RCW 48.15.040; amending section .15.07, chapter 79, Laws of 1947 as last amended by section 5, chapter 181, Laws of 1982 and RCW 48.15.070; amending section .15.13, chapter 79, Laws of 1947 as amended by section 5, chapter 102, Laws of 1980 and RCW 48.15.130; amending section 23, chapter 241, Laws of 1969 ex. sess. and RCW 48.18.296; amending section 15, chapter 181, Laws of 1982 and RCW 48.18A.035; amending section .19.41, chapter 79, Laws of 1947 and RCW 48.19.410; amending section 26, chapter 150, Laws of 1967 and RCW 48.20.013; amending section 1, chapter 60, Laws of 1977 and RCW 48.23.380; amending section 4, chapter 65, Laws of 1973 1st ex. sess. and RCW 48.44.230; amending section 12, chapter 153, Laws of 1981 as amended by section 3, chapter 200, Laws of 1982 and RCW 48.66.120; amending section .19.02, chapter 79, Laws of 1947 and RCW 48.19.020; amending section .19.04, chapter 79, Laws of 1947 and RCW 48.19.040; amending section .19.12, chapter 79, Laws of 1947 and RCW 48.19.120; amending section 6, chapter 229, Laws of 1951 as last amended by section 12, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.20.052; amending section 1, chapter 139, Laws of 1974 ex. sess. and RCW 48.20.430; amending section 1, chapter 117, Laws of 1975 1st ex. sess. and RCW 48.21.075; amending section 2, chapter 139, Laws of 1974 ex. sess. and RCW 48.21.155; amending section .23.30, chapter 79, Laws of 1947 and RCW 48.23.300; amending section .24.15, chapter 79, Laws of 1947 and RCW 48.24.150; amending section 6, chapter 219, Laws of 1961 as last amended by section 2, chapter 61, Laws of 1977 and RCW 48.34.060; adding a new section to chapter 48.20 RCW to be designated RCW 48.20.050; and repealing section 19, chapter 229, Laws of 1951, section 11, chapter 181, Laws of 1982 and RCW 48.20.182."

#### MOTION

On motion of Senator Deccio, the rules were suspended, Substitute House Bill No. 139, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Substitute House Bill No. 139, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute House Bill No. 139, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shimpoch, Talmadge, Thompson, Vogniold, von Reichbauer, Warnke, Williams, Woody, Zimmerman - 47.

Voting nay: Senator Pullen - 1.

Excused: Senator Wojahn - 1.

SUBSTITUTE HOUSE BILL NO. 139, 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.

### THIRD READING

ENGROSSED HOUSE BILL NO. 570, by Representatives Kaiser, Smith, Egger, Nealey, Todd, Fiske, McMullen, Tilly, Belcher, Tanner, Braddock, Ellis, Smitherman, Halsan, Ballard, Miller and Isaacson

Maintaining a vocational agricultural education program.

### MOTION

On motion of Senator Gaspard, the rules were suspended and Engrossed House Bill No. 570 was returned to second reading and read the second time.

### MOTION FOR RECONSIDERATION

Senator Gaspard moved to reconsider the vote by which the amendments to page 1, line 14, and to page 2, line 23, to Engrossed House Bill No. 570 were adopted by the Senate on April 11, 1983.

The President declared the question before the Senate to be the motion by Senator Gaspard to reconsider the vote by which the amendments to page 1, line 14, and to page 2, line 23, were adopted by the Senate.

The motion by Senator Gaspard carried and the Senate resumed consideration of the amendments to page 1, line 14, and to page 2, line 23.

### MOTION

On motion of Senator Gaspard, and there being no objection, the amendments were withdrawn.

### MOTION

Senator Gaspard moved adoption of the following amendment by Senators Gaspard, Hansen, Benitz and Barr:

On page 1, line 14 of the engrossed bill, being page 1, line 14 of the printed bill, after "(1)" strike all material down to and including "Washington" on page 2, line 22 of the engrossed bill, being page 2, line 22 of the printed bill, and insert: "A vocational agriculture education service area within the office of the superintendent of public instruction shall be established. Adequate staffing of individuals trained or experienced in the field of vocational agriculture shall be provided for the vocational agriculture education service area for coordination of the state program and to provide assistance to local school districts for the coordination of the activities of student agricultural organizations and associations.

(2) The vocational agriculture education service area shall:

(a) Assess needs in vocational agriculture education, assist local school districts in establishing vocational agriculture programs, review local school district applications for approval of vocational agriculture programs, evaluate existing programs, plan research and studies for the improvement of curriculum materials for specialty areas of vocational agriculture. Standards and criteria developed under this subsection shall satisfy the mandates of federally-assisted vocational education;

(b) Develop in-service programs for teachers and administrators of vocational agriculture, review application for vocational agriculture teacher certification, and assist in teacher recruitment and placement in vocational agriculture programs;

(c) Serve as a liaison with the Future Farmers of America, representatives of business, industry, and appropriate public agencies, and institutions of higher education in order to disseminate information, promote improvement of vocational agriculture programs, and assist in the development of adult and continuing education programs in vocational agriculture; and

(d) Establish an advisory task force committee of agriculturists, who represent the diverse areas of the agricultural industry in Washington, which shall make annual recommendations including, but not limited to, the development of curriculum, staffing, strategies for the purpose of establishing a source of trained and qualified individuals in agriculture, and strategies for articulating the state program in vocational agriculture education, including youth leadership throughout the state school system.

NEW SECTION. Sec. 3. The superintendent of public instruction, pursuant to chapter 34.04 RCW, shall adopt such rules as are necessary to carry out the provisions of section 2 of this act

Renumber remaining section consecutively and correct internal references accordingly.

## POINT OF INQUIRY

Senator Newhouse: "Senator Gaspard, the entire section in your amendment to the bill, is in a new section. Is that right? It's all new language?"

Senator Gaspard: "All new language, yes."

The President declared the question before the Senate to be adoption of the amendment by Senators Gaspard, Hansen, Benitz and Barr.

The motion by Senator Gaspard carried and the amendment was adopted.

## MOTION

Senator Deccio moved that the following amendment by Senators Deccio, Craswell, Quigg, Owen, Sellar and Jones be adopted:

On page 2, after line 25 insert:

"NEW SECTION, Sec. 1. It is the intent of the legislature that the office of the superintendent of public instruction develop a recommended state course of study in mathematics and science for the first through twelfth grades, indicating the scope and sequence of skills and concepts to be taught for each grade level. The course of study shall be limited to initial introduction of skills and concepts in a simple and concise manner.

Any district electing to adopt this course of study shall be exempt from the reporting requirements of the student learning objectives requirements under RCW 28A.58.090.

The course of study in mathematics shall be developed prior to June 30, 1985, and the course of study in science shall be developed prior to June 30, 1986."

## POINT OF ORDER

Senator Bottiger: "Mr. President, I regretfully--because I understand Senator Deccio's objectives--but I regretfully raise the point of order that the amendment expands the scope and object of the original bill."

Debate ensued.

## MOTION

At 10:48 a.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 11:28 a.m.

## MOTION

At 11:28 a.m., on motion of Senator Shinpoch, the Senate recessed until 3:00 p.m.

## AFTERNOON SESSION

The Senate was called to order at 3:00 p.m. by President Cherberg.

At 3:00 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 4:27 p.m.

## MESSAGE FROM THE GOVERNOR

May 6, 1983

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise you that on May 6, 1983, Governor Spellman approved the following Senate Bills entitled:

Substitute Senate Bill No. 3056

Relating to contractor registration.

Substitute Senate Bill No. 3266

Relating to operating agencies.

Substitute Senate Bill No. 3856

Relating to crimes.

Substitute Senate Bill No. 3101

Relating to the liquor control board.

Sincerely,

MARILYN SHOWALTER, Counsel to the Governor

## MESSAGE FROM THE HOUSE

May 6, 1983

Mr. President:

The House has concurred in the Senate amendments to SECOND SUBSTITUTE HOUSE BILL NO. 295, and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

## MESSAGE FROM THE HOUSE

May 6, 1983

Mr. President:

The House has granted the request of the Senate for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 3766. The Speaker has appointed the following members as conferees: Representatives Armstrong, Halsan and Patrick.

DEAN R. FOSTER, Chief Clerk

## MESSAGE FROM THE HOUSE

May 6, 1983

Mr. President:

The House has granted the request of the Senate for a conference on REENGROSSED SUBSTITUTE SENATE BILL NO. 3817. The Speaker has appointed the following members as conferees: Representatives Belcher, Locke and Tilly.

DEAN R. FOSTER, Chief Clerk

## MESSAGE FROM THE HOUSE

May 6, 1983

Mr. President:

The House has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 239 and has granted said committee the powers of Free Conference, and the Report of the Conference Committee is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## REPORT OF FREE CONFERENCE COMMITTEE

May 6, 1983

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred, ENGROSSED HOUSE BILL NO. 239, regulating exit polling have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill do pass:

On page 1, beginning on line 8 of the engrossed and printed bills, after "place," strike all material through "building" on line 10 of the engrossed and printed bills and insert "or in any public area within three hundred feet of any entrance to such polling place"

Signed by: Senators Clarke, Talmadge and Hughes; Representatives Pruitt, Miller and Sommers.

## MOTION

On motion of Senator Talmadge, the Report of the Free Conference Committee was adopted on Engrossed House Bill No. 239.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed House Bill No. 239, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 40; nays, 1; absent, 6; excused, 2.

Voting yeas: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Patterson,

Peterson, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Woody, Zimmerman - 40.

Voting nay: Senator Pullen - 1.

Absent: Senators Haley, Hughes, Lee, Quigg, von Reichbauer, Williams - 6.

Excused: Senators McDermott, Wojahn - 2.

ENGROSSED HOUSE BILL NO. 239, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### REPORT OF CONFERENCE COMMITTEE

May 6, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred, ENGROSSED HOUSE BILL NO. 428, modifying certain court procedures, have had the same under consideration, and we report that we are unable to agree on the Senate amendments and respectfully request the powers of Free Conference to recommend that the bill do pass amended as follows:

On page 3, after line 5, insert the following:

\*Sec. 4. Section 24, chapter 64, Laws of 1895 as last amended by section 10, chapter 329, Laws of 1981 and RCW 6.12.050 are each amended to read as follows:

Homesteads may consist of lands and tenements with the improvements thereon, as defined in RCW 6.12.010, regardless of area but not exceeding in net value, of both the lands and improvements, the sum of ((twenty)) twenty-five thousand dollars. The premises thus included in the homestead must be actually intended or used as a home for the owner, and shall not be devoted exclusively to any other purpose.

Sec. 5. Section 1, chapter 60, Laws of 1929 as last amended by section 3, chapter 105, Laws of 1980 and RCW 4.56.190 are each amended to read as follows:

The real estate of any judgment debtor, and such as he may acquire, not exempt by law, shall be held and bound to satisfy any judgment of the district court of the United States rendered in this state, any judgment of the supreme court, court of appeals, or superior court of this state, and any judgment of any justice of the peace rendered in this state, and every such judgment shall be a lien thereupon to commence as hereinafter provided and to run for a period of not to exceed ten years from the day on which such judgment was rendered. As used in this chapter, real estate shall not include the vendor's interest under a real estate contract for judgments rendered after the effective date of this 1983 act. Personal property of the judgment debtor shall be held only from the time it is actually levied upon.

Sec. 6. Section 1, chapter 133, Laws of 1893 as last amended by section 5, chapter 105, Laws of 1980 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.

Sec. 7. Section 367, page 201, Laws of 1854 as last amended by section 505, Code of 1881 and RCW 4.84.010 are each amended to read as follows:

The measure and mode of compensation of attorneys and counselors, shall be left to the agreement, expressed or implied, of the parties, but there shall be allowed to the prevailing party upon the judgment certain sums by way of indemnity for ((his)) the prevailing party's expenses in the action, which allowances are termed costs, including, in addition to costs otherwise authorized by law, the following expenses:

(1) Filing fees;

(2) Fees for the service of process;

(3) Fees for service by publication;

(4) Notary fees;

(5) Reasonable expenses, exclusive of attorneys' fees, incurred in obtaining reports and records, which are admitted into evidence at trial in superior or district court, including but not limited to medical records, tax records, personnel records, insurance reports, employment and wage records, police reports, school records, bank records, and legal files;

(6) Statutory attorney and witness fees; and

(7) To the extent that the court finds that it was necessary to achieve the successful result, the reasonable expense of the transcription of depositions used at trial; PROVIDED, That the expenses of depositions shall be allowed on a pro rata basis for those portions of the depositions introduced into evidence or used for purposes of impeachment.

Sec. 8. Section 253, page 178, Laws of 1854 as last amended by section 1, chapter 65, Laws of 1979 ex. sess. and RCW 6.16.020 are each amended to read as follows:

The following personal property shall be exempt from execution and attachment, except as hereinafter specially provided:

(1) All wearing apparel of every person and family, but not to exceed ~~((five hundred))~~ seven hundred fifty dollars in value in furs, jewelry, and personal ornaments for any person.

(2) All private libraries not to exceed ~~((five hundred))~~ one thousand dollars in value, and all family pictures and keepsakes.

(3) To each person or family~~((:))~~:

(a) The person's or family's household goods, appliances, furniture and home and yard equipment, not to exceed one thousand five hundred dollars in value;

(b) Provisions and fuel for the comfortable maintenance of such person or family for three months; and

(c) Other property not to exceed ~~((four))~~ five hundred dollars in value, of which not more than one hundred dollars in value may consist of cash, bank accounts, savings and loan accounts, stocks, bonds, or other securities.

(4) To any person or family, one motor vehicle which is used for personal transportation, not to exceed ~~((seven hundred and fifty))~~ one thousand two hundred dollars in value.

(5) To a farmer, farm trucks, farm stock, farm tools, farm equipment, supplies and seed, not to exceed ~~((one))~~ three thousand ~~((five hundred))~~ dollars in value.

(6) To a physician, surgeon, attorney, clergyman, or other professional person, the person's library, office furniture, office equipment and supplies, not to exceed ~~((one))~~ three thousand ~~((five hundred))~~ dollars in value.

(7) To any other person, the tools and instruments and materials used to carry on his or her trade for the support of himself or herself or family, not to exceed ~~((one))~~ three thousand ~~((five hundred))~~ dollars in value.

The property referred to in the foregoing subsection (3) shall be selected by any adult member of the family on behalf of the family or the person, if present, and in case no adult member of the family or person is present to make the selection, then the sheriff or the director of public safety shall make a selection equal in value to the applicable exemptions above described and he shall return the same as exempt by inventory. Any selection made as above provided shall be prima facie evidence (a) that the property so selected is exempt from execution and attachment, and (b) that the property so selected is not in excess of the values specified for the exemptions. Except as above provided, the exempt property shall be selected by the person claiming the exemption. No person shall be entitled to more than one exemption under the provisions of the foregoing subsections (5), (6) and (7).

For purposes of this section "value" shall mean the reasonable market value of the article or item at the time of its selection, and shall be of the debtor's interest therein, exclusive of all liens and encumbrances thereon.

Wages, salary, or other compensation regularly paid for personal services rendered by the person claiming the exemption may not be claimed as exempt under the foregoing provisions, but the same may be claimed as exempt in any bankruptcy or insolvency proceeding to the same extent as allowed under the statutes relating to garnishments.

No property shall be exempt under this section from an execution issued upon a judgment for all or any part of the purchase price thereof, or for any tax levied upon such property."

On page 1, line 5 of the title, after "26.09.120;" insert "amending section 24, chapter 64, Laws of 1895 as last amended by section 10, chapter 329, Laws of 1981 and RCW 6.12.050; amending section 1, chapter 60, Laws of 1929 as last amended by section 3, chapter 105, Laws of 1980 and RCW 4.56.190; amending section 1, chapter 133, Laws of 1893 as last amended by section 5, chapter 105, Laws of 1980 and RCW 6.32.010; amending section 367, page 201, Laws of 1854 as last amended by section 505, Code of 1881 and RCW 4.84.010; amending section 253, page 178, Laws of 1854 as last amended by section 1, chapter 65, Laws of 1979 ex. sess. and RCW 6.16.020;"

Signed by: Senators Talmadge, Hemstad and Hughes; Representatives Padden, Dellwo and Crane.

## MOTION

On motion of Senator Talmadge, the Report of the Conference Committee on Engrossed House Bill No. 428 was adopted and the powers of Free Conference were granted.

## SIGNED BY THE PRESIDENT

The President signed:  
SENATE BILL NO. 3390.

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

There being no objection, the Senate resumed consideration of Engrossed House Bill No. 570 and the pending amendment by Senator Deccio to page 2, line 25, considered at the morning session.

## RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the point of order raised by Senator Bottiger, the President finds that Engrossed House Bill No. 570, as amended by the Senate, is a measure which establishes in statute a vocational agriculture education service area within the Office of the Superintendent of Public Instruction.

"The amendment proposed by Senator Deccio directs the Office of the Superintendent of Public Instruction to develop a course of study in mathematics and science.

"The President, therefore, finds that the proposed amendment does expand the scope and object of the bill and that the point of order is well taken."

The amendment was ruled out of order.

## MOTIONS

On motion of Senator Vognild, Senator Wojahn was excused.

On motion of Senator Zimmerman, Senators Lee and von Reichbauer were excused.

On motion of Senator Gaspard, the rules were suspended, Engrossed House Bill No. 570, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed House Bill No. 570, as amended by the Senate.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed House Bill No. 570, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent, 2; excused, 3.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Woody, Zimmerman - 43.

Voting nay: Senator Pullen - 1.

Absent: Senators Deccio, Haley - 2.

Excused: Senators Lee, von Reichbauer, Wojahn - 3.

ENGROSSED HOUSE BILL NO. 570, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 296, by Committee on Education (originally sponsored by Representatives Galloway and Miller) (by Superintendent of Public Instruction request)

Modifying provisions regulating school transportation.

The bill was read the second time.

## MOTION

On motion of Senator Gaspard, the following Committee on Education amendments were not adopted:

On page 1, line 20, after "transported" strike all material down to and including "district," on line 21

On page 1, following line 25, insert a new paragraph to read as follows:



"A school district is authorized to provide for the transportation of students enrolled in the school or schools of the district both in the case of students who reside within the boundaries of the district and of students who reside outside the boundaries of the district."

On page 3, line 24, after "learning centers" insert " ;"

On page 3, line 25, strike "provided in RCW 28A.41.510(3) (b)" and insert "defined in RCW 28A.41.510(3) as 'to and from school.'"

On page 3, line 27, after "costs)" strike all material down to and including "instruction" on line 29.

On page 4, line 6, strike all material down to and including "least." on line 11

On page 5, line 3, strike "during the regularly scheduled school day"

On page 5, line 27, strike all material down to and including "RCW 28A.58.754." on line 28

On page 7, line 11, after "maintenance." strike all material down to and including "RCW 28A.41.505(1)." on line 13, and insert "((The standard student mile allocation rate shall be used to determine the transportation allocation for those services provided for in RCW 28A.41.505(1);))"

On page 8, following line 19, insert a new paragraph to read as follows:

"If it is determined by the superintendent of public instruction on or before October first of any school year that the total amount of funding available for the school year for the purpose specified in RCW 28A.41.505(1) is less than the amount funded for the preceding school year, the reduction in the allocation of available funding for such purpose for each school district enrolling two thousand five hundred full-time equivalent students or less shall be no greater than either (a) the percentage of the reduction in the total amount of available funding times the total amount of the district's funding therefor for the preceding school year or (b) the amount of the total reduction per full-time equivalent student enrolled as of the October report as computed on a state-wide basis, times the number of full-time equivalent students enrolled in the district as of the October report, whichever amount is the least. For all other school districts, and in all other cases of a reduction in available funding for any one or all of the purposes specified in RCW 28A.41.505(1), (2) and (3), the reduction in the allocation of available funding for each such purpose shall be based upon a uniformly applied percentage."

On page 8, line 22, after "amended," insert "Such allocation payments may be based on estimated amounts for payments to be made in September, October, November, and December."

#### MOTION

Senator Gaspard moved that the following amendment by Senators Gaspard, Bauer, Craswell and Kiskaddon be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature hereby finds that the transportation of certain students to and from school, while not a direct component of basic education as defined in RCW 28A.58.750 through 28A.58.760, is necessary to those students' ample and equal educational rights pursuant to Article IX, sections 1 and 2 of the state Constitution.

The legislature declares that it is the responsibility of the state to provide the full transportation costs for those students defined as "eligible students" and for those transportation programs defined as "to and from school" in RCW 28A.41.510. The legislature further declares that any school district which transports students other than those so defined as "eligible students" or for purposes other than those so defined as "to and from school" shall be responsible for the costs associated with those activities.

Sec. 2. Section 28A.24.055, chapter 223, Laws of 1969 ex. sess. as last amended by section 10, chapter 265, Laws of 1981 and RCW 28A.24.055 are each amended to read as follows:

The operation of each local school district's student transportation program is declared to be the responsibility of the respective board of directors, and each board of directors shall determine such matters as which individual students shall be transported and what routes shall be most efficiently utilized. State moneys allocated to local districts for student transportation shall be spent only for student transportation activities, but need not be spent by the local district in the same manner as calculated and allocated by the state.

A school district is authorized to provide for the transportation of students enrolled in the school or schools of the district both in the case of students who reside within the boundaries of the district and of students who reside outside the boundaries of the district.

When children are transported from one school district to another the board of directors of the respective districts may enter into a written contract providing for a division of the cost of such transportation between the districts.

When commercial charter bus service is not reasonably available to a school district, the state board of education may authorize the use of school buses and drivers hired by the district for the transportation of school children and the school employees necessary for their supervision to and from any school activities within or without the school district during or after school hours and whether or not a required school activity, so long as the school board has officially designated it as a school activity. For any extra-curricular uses, the school board shall charge an amount sufficient to reimburse the district for its cost.

In addition to the right to contract for the use of buses provided in RCW 28A.24.170 and 28A.24.172, any school district may contract to furnish the use of school buses of that district to other users who are engaged in conducting an educational or recreational program supported wholly or in part by tax funds or programs for elderly persons at times when those buses are not needed by that district and under such terms as will fully reimburse such school district for all costs related or incident thereto: PROVIDED, HOWEVER, That no such use of school district buses shall be permitted except where other public or private transportation certified or licensed by the Washington utilities and transportation commission is not reasonably available to the user: PROVIDED FURTHER, That no user shall be required to accept any charter bus for services which the user believes might place the health or safety of the children or elderly persons in jeopardy.

Whenever any persons are transported by the school district in its own motor vehicles and by its own employees, the board may provide insurance to protect the district against loss, whether by reason of theft, fire or property damage to the motor vehicle or by reason of liability of the district to persons from the operation of such motor vehicle.

The board may provide insurance by contract purchase for payment of hospital and medical expenses ~~((in an amount not exceeding one thousand dollars per person per injury))~~ for the benefit of persons injured while they are on, getting on, or getting off any vehicles enumerated herein without respect to any fault or liability on the part of the school district or operator. This insurance may be provided without cost to the persons notwithstanding the provisions of RCW 28A.58.420.

If the transportation of children or elderly persons is arranged for by contract of the district with some person, the board may require such contractor to procure such insurance as the board deems advisable.

Sec. 3, Section 1, chapter 265, Laws of 1981 and RCW 28A.41.505 are each amended to read as follows:

Funds allocated for transportation costs shall be in addition to the basic education allocation. The distribution formula developed in RCW 28A.41.505 through 28A.41.520 shall be for allocation purposes only and shall not be construed as mandating specific levels of pupil transportation services by local districts. Operating costs as determined under RCW 28A.41.505 through 28A.41.520 shall be funded at one hundred percent or as close thereto as reasonably possible for ~~((the following pupil transportation services:~~

~~(1))~~ transportation of an eligible student ~~((from the student's assigned route stop to the student's school at the beginning of the student's school day, and from the student's school to the student's assigned route stop at the end of the school day in a transportation vehicle. Recognition of nonpassenger miles shall be included as part of transportation))~~ to and from school as defined in RCW 28A.41.510(3).

~~((2))~~ Transportation between schools or learning centers of students whose basic education or other programs are offered in two or more locations. Field trips are not eligible for funds allocated for transportation costs.

~~(3)~~ Transportation for student participants in activities planned, supervised, and administered by the Washington interscholastic activities association or other voluntary nonprofit entity pursuant to RCW 28A.58.125, as now or hereafter amended, if eligible for state transportation funding under rules adopted by the state board of education.

~~Operational costs, as determined under RCW 28A.41.505 through 28A.41.520, for those pupil transportation services provided for in subsection (1) of this section shall be funded statewide at one hundred percent before any funds are provided for operating costs of services provided for in subsections (2) and (3) of this section.))~~

Sec. 4, Section 2, chapter 265, Laws of 1981 and RCW 28A.41.510 are each amended to read as follows:

For purposes of RCW 28A.41.505 through 28A.41.525, except where the context shall clearly indicate otherwise, the following definitions apply:

(1) "Eligible student" means any student served by the transportation program of a school district or compensated for individual transportation arrangements authorized by RCW 28A.24.100 whose ~~((residence or assigned))~~ route stop is more than one radius mile from the student's school, except if the student to be transported: (a) is handicapped under RCW 28A.13.010, as now or hereafter amended, and is either not ambulatory or not capable of protecting his or her own welfare while traveling to or from the school or agency where special education services are provided, in which case no mileage distance restriction applies; or (b) qualifies for an exemption due to hazardous walking conditions.

(2) ~~((“Nonpassenger miles” means road miles necessary for the following purposes when no student is being transported in a vehicle: (a) inspection of vehicles by the state patrol; (b) mileage incurred as a result of major maintenance repairs; (c) mandated bus driver training; and (d) mileage between a school, bus garage, or storage facility and the first student route stop and the mileage between the last student route stop and the school, bus garage, or storage facility.~~

~~(3))~~ "Superintendent" means the superintendent of public instruction.

(3) "To and from school" means the transportation of students for the following purposes:

(a) Transportation to and from route stops and schools;

(b) Transportation to and from schools pursuant to an interdistrict agreement pursuant to RCW 28A.58.075;

(c) Transportation of students between schools and learning centers for instruction specifically required by statute;

(d) Transportation of handicapped students to and from schools and agencies for special education services; and

(e) Extended day transportation.

(4) "Hazardous walking conditions" means those instances of the existence of dangerous walkways documented by the board of directors of a school district which meet criteria specified in rules adopted by the superintendent of public instruction. A school district that receives an exemption for hazardous walking conditions should demonstrate that good faith efforts are being made to alleviate the problem and that the district, in cooperation with other state and local governing authorities, is attempting to reduce the incidence of hazardous walking conditions. The superintendent of public instruction shall appoint an advisory committee to prepare guidelines and procedures for determining the existence of hazardous walking conditions. The committee shall include but not be limited to representatives from law enforcement agencies, school districts, the department of transportation, city and county government, the insurance industry, parents, school directors and legislators.

Sec. 5. Section 3, chapter 265, Laws of 1981 and RCW 28A.41.515 are each amended to read as follows:

Each district shall submit to the superintendent of public instruction ((by May 1st)) during October of each year a report containing the following:

(1)(a) The number of eligible students ((anticipated to be eligible for)) transported to and from school ((transportation)) as provided for in RCW ((28A.41.505(t))) 28A.41.505 for the ((ensuing)) current school year and the number of miles estimated to be driven for pupil transportation services, along with a map describing student route stop locations and school locations, and (b) the number of miles driven for pupil transportation services as authorized in RCW 28A.41.505 the previous school year; and

(2) ((The actual number of miles driven for pupil transportation services provided for in RCW 28A.41.505(2) during the current school year, and the number of miles anticipated for the ensuing school year for such services;

(3) The number of scheduled miles for pupil transportation services provided for in RCW 28A.41.505(3) for the ensuing school year. Miles reported shall be limited to those that are scheduled and required for participation in activities planned, supervised, and administered by the Washington interscholastic activities association or other voluntary nonprofit entity, and approved for state transportation funding by the state board of education; and

(4)) Other operational data and descriptions as required by the superintendent to determine allocation requirements for each district.

Each district shall submit the information required in this section on a timely basis as a condition of the continuing receipt of school transportation moneys.

Sec. 6. Section 4, chapter 265, Laws of 1981 as amended by section 2, chapter 24, Laws of 1982 1st ex. sess. and RCW 28A.41.520 are each amended to read as follows:

Each district's annual student transportation allocation shall be based on differential rates determined by the superintendent of public instruction in the following manner:

(1) The superintendent shall annually calculate a standard student mile allocation rate for ((each district)) determining the transportation allocation for those services provided for in RCW 28A.41.505. "Standard student mile allocation rate," as used in this chapter, means the per mile allocation rate for transporting an eligible student. The standard student mile allocation rate ((may consist of no more than eight differential rates state-wide, as determined by the superintendent, and shall)) may be adjusted to include ((but not be limited to)) such additional differential factors as ((climate and terrain)) distance; restricted passenger load; ((nonpassenger miles; and the costs of insurance, district or contracted employee salaries, and benefits; maintenance, fuel, supplies, and materials to the extent that they are not under the direct control of the district. The standard student mile allocation rate shall be used to determine the transportation allocation for those services provided for in RCW 28A.41.505(t))) circumstances that require use of special types of transportation vehicles; handicapped student load; and small fleet maintenance.

(2) ((The superintendent shall annually calculate a standard unit mile rate for each district. "Standard unit mile rate," as used in this section, means the cost of operating an approved transportation vehicle for one mile. The standard unit mile rate may consist of no more than eight differential rates state-wide, as determined by the superintendent, and shall be based on the factors used in subsection (1) of this section. The standard unit mile rate shall be used to determine the transportation allocation for those services provided for in RCW 28A.41.505(2) and (3). For purposes of allocating funds for RCW 28A.41.505(2), the superintendent shall use the average number of miles reported by the district for the two school years, excluding field trips.

(3)) Prior to June 1st of each year the superintendent shall submit to the office of financial management, and the committees on education and ways and means of the senate and house

of representatives a report outlining the methodology and rationale used in determining the student mile ~~((and unit mile))~~ allocation rate(s) to be used the following year.

Sec. 7. Section 5, chapter 265, Laws of 1981 as amended by section 3, chapter 24, Laws of 1982 1st ex. sess. and RCW 28A.41.525 are each amended to read as follows:

~~((The superintendent shall determine the preliminary, estimated student transportation allocation for each district and notify districts of their preliminary student transportation allocation by June 15. By the following October 15th, every district shall notify the superintendent of any changes in the data utilized in calculating the preliminary student transportation allocation.))~~ The superintendent shall ~~((then make necessary corrections and shall))~~ notify districts of their ~~((final))~~ student transportation allocation before ~~((the following))~~ December ~~((1st))~~ 15th. If the number of eligible students in a school district changes ten percent or more from the ~~((final))~~ October ~~((15-number))~~ report, and the change is maintained for a period of twenty consecutive school days or more, the district may submit revised eligible student data to the superintendent of public instruction. The superintendent shall, to the extent funds are available, recalculate the district's allocation for the transportation of pupils to and from school.

The superintendent shall make the student transportation allocation in accordance with the apportionment payment schedule in RCW 28A.48.010, as now or hereafter amended. Such allocation payments may be based on estimated amounts for payments to be made in September, October, November, and December. For the 1982-83 school year, no school district shall receive a reduction or increase in funds of over three percent of what it received the previous year as adjusted to its proportional share of funds appropriated by the legislature for 1982-83 transportation services.

Sec. 8. Section 8, chapter 264, Laws of 1981 and RCW 28A.44.220 are each amended to read as follows:

Unless otherwise agreed to by the board of directors of a nonhigh school district, the amounts which are established as due by a nonhigh school district pursuant to RCW 28A.44.150 through 28A.44.230 and 84.52.0531, as now or hereafter amended, shall constitute the entire amount which is due by a nonhigh school district for the school year for the education of any and all handicapped and nonhandicapped students residing in the nonhigh school district who attend a high school district pursuant to RCW 28A.58.230, as now or hereafter amended, and for the transportation of such students by a high school district ~~((as is required by RCW 28A.24.055, as now or hereafter amended))~~.

NEW SECTION. Sec. 9. Section 12, chapter 265, Laws of 1981 and RCW 28A.04.350 are each repealed.

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."

#### MOTIONS

On motion of Senator Bluechel, Senator Haley was excused.

On motion of Senator Craswell, the following amendment to the amendment was adopted:

On page 7, line 17, of the floor amendment, after "statute" strike all material down to and including "transportation" on line 22, and insert, "and  
(d) Transportation of handicapped students to and from schools and agencies for special education services.

Extended day transportation shall not be considered part of transportation of students 'to and from school' for the purpose of this 1983 act'

Senator Metcalf moved the following amendment to the amendment to be adopted:

On page 5, line 7, strike the period on line 7 and insert: "but under no circumstances may the superintendent of public instruction disperse state transportation moneys to any school district to fund any program in which any student is denied equal access to any particular school based on a distinction or preference on account of race, color, caste or sex."

Debate ensued.

Senator Metcalf demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on adoption of the amendment by Senator Metcalf to the amendment.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Metcalf failed, the President voting 'nay,' and the amendment to the amendment was not adopted by the following vote: Yeas, 22; nays, 22; absent, 1; excused, 4.

Voting yea: Senators Barr, Benitz, Clarke, Craswell, Deccio, Fuller, Guess, Hayner, Hurley, Jones, McCaslin, Metcalf, Moore, Newhouse, Owen, Patterson, Pullen, Quigg, Rasmussen, Sellar, Vogniid, Zimmerman - 22.

Voting nay: Senators Bauer, Bender, Bluechel, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hemstad, Hughes, Kiskaddon, McDermott, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Williams, Woody - 22.

Absent: Senator McManus - 1.

Excused: Senators Haley, Lee, von Reichbauer, Wojahn - 4.

#### MOTION

Senator Barr moved that the following amendment to the amendment be adopted:

On page 12, following line 33 of the floor amendment, insert a new paragraph to read as follows:

"Whenever approved transportation costs are funded at less than 80%, state funding shall be at 80% for school districts having a special levy assessed value per full time equivalent student in the prior school year of less than 62% of the state average, and a total enrollment of less than 2,100 full time equivalent students."

Debate ensued.

The President declared the question before the Senate to be adoption of the Barr amendment to the amendment.

The motion by Senator Barr failed and the amendment to the amendment was not adopted.

The President declared the question before the Senate to be adoption of the amendment, as amended.

The motion by Senator Gaspard carried and the amendment, as amended, was adopted.

#### MOTIONS

On motion of Senator Gaspard, the following title amendment was adopted:

On page 1, line 10 of the title, after "RCW 28A.41.525;" strike "and", and on line 11, after "RCW 28A.44.220" insert "; creating a new section; and repealing section 12, chapter 265, Laws of 1981 and RCW 28A.04.350"

On motion of Senator Gaspard, the rules were suspended, Substitute House Bill No. 296, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Hughes: "Senator Gaspard, I want to compliment you on the efforts that you and the committee made, but I do have one concern and that's on the fact that we have not addressed the extended day. Many of us represent school districts where this, I think, will create a severe hardship and I would hope that the committee will look very seriously at funding this concept because I think if we don't we're asking for some very serious problems down the road."

Senator Gaspard: "If I may respond--I, too, have a concern about extended day run and if I had my druthers I would like to see it end, but I think it can be effectively argued that the interpretation of Judge Doran's oral statement that extended day run is a to and from obligation, but I think that we have to remember that his opinion right now is an oral opinion that there have been no specific findings and conclusions of law and that he has not entered a final judgment yet."

"I think until the time that we have that final judgment entered--that may be at least a month or possibly a little bit longer--will we know what the interpretation of his decision is. It's my hope and I have some assurances from Senator McDermott that we will have a study to try to interpret what Judge Doran has said and deal with the extended day run and if it's certainly within the definition of what we have to do for transportation, then I'll be back here trying to put it back in in January."

#### POINT OF INQUIRY

Senator Metcalf: "Senator Gaspard, in order to determine legislative intent and in light of the defeat of the amendment which would have excluded mandatory racial busing, in your opinion, is this bill now by defeating the amendment -- would that reverse the Doran decision and make mandatory racial busing a part of basic education?"

Senator Gaspard: "I don't think it has any impact in that regard to what Judge Doran said."

#### POINT OF INQUIRY

Senator Patterson: "Senator Gaspard, I'm wondering--compared with what we have funded in the area of transportation for the current biennium and looking into the coming biennium, how much additional dollars would you anticipate, this would put into the transportation area?"

Senator Gaspard: "Senator Patterson, in order to answer that question, we haven't yet passed a budget for transportation, so I do know that it is going to be higher than what it has been in the past two years where we're basically at somewhere around sixty percent. I think we have a fairly clear indication from Judge Doran that by July 1, 1984, whatever programs that this Legislature says are necessary--is going to have to be fully funded. That's about the extent that I can answer the question.

"I see Senator McDermott--"

#### REMARKS BY SENATOR McDERMOTT

Senator McDermott: "Mr. President and Senator Patterson, I'm not ready to yield, but I will answer the question.

"In this budget that is being readied for the floor, I think the figure is just about one hundred and sixty-seven million dollars. It comes to between ninety and ninety-five percent of what is estimated presently by OFM for a full funding of transportation the second year. It is our intention between now and January to look at all aspects of the Doran decision, including transportation, come back in January with a recommendation for what I call a 'Doran package.'

"There are a number of things that have to be considered and I think at this point we have no written document, we have no findings of fact, we are reacting to what a number of different attorneys believe to have happened over in the court house and I would like to take a little more reasonable approach and wait until the judge puts it in writing."

The President declared the question before the Senate to be the roll call on final passage of Substitute House Bill No. 296, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute House Bill No. 296, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; absent, 2; excused, 4.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, McCaslin, McDermott, McManus, Metcalf, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Woody, Zimmerman - 43.

Absent: Senators Moore, Pullen - 2.

Excused: Senators Haley, Lee, von Reichbauer, Wojahn - 4.

SUBSTITUTE HOUSE BILL NO. 296, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate resumed consideration of Substitute Senate Bill No. 3226 and the pending McDermott striking amendment, as amended, deferred April 24, 1983.

#### MOTION

Senator Bluechel moved adoption of the following amendment by Senators Bluechel and Metcalf to the McDermott amendment:

On page 1, line 6, strike all material down to and including "first." on line 27.

Re-number the remaining sections accordingly.

The President declared the question before the Senate to be adoption of the amendment by Senators Bluechel and Metcalf to the McDermott amendment.

The motion by Senator Bluechel carried and the amendment to the amendment was adopted on a rising vote.

## MOTION

Senator Bottiger moved adoption of the following amendment to the amendment:

On page 1, after line 27, insert:

"Sec. 2. Section 2, chapter 96, Laws of 1970 ex. sess. and RCW 2.12.100 are each amended to read as follows:

(1) Any member of the Washington public employees' retirement system who is eligible to participate in the judges' retirement system, may by written request filed with the director and custodian of the two systems respectively, transfer such membership to the judges' retirement system. Upon the receipt of such request, the director of the Washington public employees' retirement system shall transfer to the state treasurer ~~((f+))~~ (a) all employees' contributions and interest thereon belonging to such member in the employees' savings fund and all employers' contributions credited or attributed to such member in the benefit account fund and ~~((f2))~~ (b) a record of service credited to such member. One-half of such service but not in excess of twelve years shall be computed and credited to such member as though such service was performed as a member of the judges' retirement system. Upon such transfer being made the state treasurer shall deposit such moneys in the judges' retirement fund. In the event that any such member should terminate judicial service prior to his entitlement to retirement benefits under any of the provisions of chapter 2.12 RCW, he shall upon request therefor be repaid from the judges' retirement fund an amount equal to the amount of his employees' contributions to the Washington public employees' retirement system and interest plus interest thereon from the date of the transfer of such moneys: PROVIDED, HOWEVER, That this section shall not apply to any person who is retired as a judge as of February 20, 1970.

(2) Any member of the judges' retirement system who has served as a judge for one or more years and who has service in the teachers' retirement system prior to October 1, 1947, may—upon repayment of any withdrawn contribution and interest prior to July 1, 1984—request and shall be entitled to have one-half of such service computed and not more than six years immediately credited to such member as though such service had been performed as a member of the judges' retirement system, provided that any prior service so credited shall not be claimed for any pension system other than a judicial retirement system. All employer contributions and interest shall be transferred to the judges' retirement system."

Renumber the remaining sections accordingly.

Debate ensued.

## POINT OF INQUIRY

Senator Rasmussen: "Senator Bottiger, as a teacher, presumably he's vested in the teachers."

Senator Bottiger: "No, sir, it was only six years. He's not vested."

Senator Rasmussen: "Six years--it only takes five years today."

Senator Bottiger: "Whatever--I'm sorry, as I am understanding, he is not vested in the teachers' system."

Senator Rasmussen: "And how many years of service as a judge?"

Senator Bottiger: "Years vested as a judge--I'm going to make a rough guess,--maybe sixteen--"

Senator Rasmussen: "So, he's practically guaranteed seventy-five percent of the judge's pension then?"

Senator Bottiger: "Sir, I don't know that. The inequity of the missing clause was brought to my attention and you and I--you know, either it's inequitable or it's not--either we fix it or we don't."

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

The motion by Senator Bottiger failed and the amendment to the amendment was not adopted.

## MOTION

Senator Bluechel moved that the following amendment to the amendment be adopted:

On page 40, line 16, strike all material down to and including "amended." on page 41, line 35.

Renumber the remaining sections accordingly.

Debate ensued.

The President declared the question before the Senate to be adoption of the Bluechel amendment to the amendment.

The motion by Senator Bluechel failed and the amendment to the amendment was not adopted on a rising vote.

#### MOTION

Senator Kiskaddon moved adoption of the following amendment by Senator Haley to the amendment:

On page 41, line 36, strike all material down to and including "41.32.260 (4)," on page 42, line 4.

Renumber the remaining sections accordingly.

Debate ensued.

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

The motion by Senator Kiskaddon failed and the Haley amendment to the McDermott amendment was not adopted.

#### MOTION

Senator McDermott moved adoption of the following amendment by Senators McDermott and Hemstad to the amendment:

On page 47, after line 24, insert:

"Sec. 29 Section 6, chapter 199, Laws of 1974 ex. sess. and RCW 41.32.4945 are each amended as follows:.

Notwithstanding any other provision of RCW 41.32.010, 41.32.260, 41.32.497, 41.32.498, and this section, when the salary of any member as a member of the legislature is increased beyond the amount provided for in Initiative Measure No. 282 then earnable compensation for the purposes of this chapter shall be based solely on the sum of (1) the compensation actually received from the salary for the job from which such leave of absence may have been taken and (2) such member's salary as a legislator during his two highest compensated consecutive years; PROVIDED, That such member may include the salary that would have been earned had the leave of absence not been taken; PROVIDED FURTHER, That such member pay both the employer and employee contribution to the retirement system at the legislative rates plus interest in an amount to be determined by the director.

NEW SECTION, Sec. 30. There is added to chapter 41.32 RCW a new section to read as follows:

A retiree whose membership included legislative service shall have the option of having that retiree's benefits recalculated based on the provision of Section 29 of this act and the retirees benefits shall, upon payment of the appropriate additional contribution, be adjusted prospectively from the date of payment of that additional contribution."

Renumber the remaining sections accordingly.

#### POINT OF INQUIRY

Senator Rasmussen: "Senator McDermott, explain a little bit to me. I don't know what the inequity is. 'Provided that such members will include the salary that would have been earned had the leave of absence not been taken.' 'Leave of absence' from where, Senator McDermott?"

Senator McDermott: "Senator Rasmussen, from the Legislature."

Senator Rasmussen: "He took a leave of absence from the Legislature? You mean he didn't get elected and he was out for ten years and he's just paid into it? You're trying to say I did, but I don't. I took a leave of absence from the railroad for thirty-five years and never credited any of it to my retirement. I went off the payroll, as a result my pension was considerably lower than the people that retired who were working at the same job I did. I really don't understand this.

"Now at the time I resigned, I merely froze my membership in the state retirement system but did not increase the benefits in any way whatsoever. I still don't understand, Senator McDermott, explain a little more."

Senator McDermott: "Mr President and Senator Rasmussen, if you read further in this, it says 'that the member has to pay both the employer and the employee's contribution as well as interest in an amount to be determined by the director.' There is no drain on the system. We have a system that we write in law that is supposed to cover everybody and then situations develop and people, for one reason or another, fall out of the system. We are trying here to give the Director the flexibility to have somebody put all their money in, so that at some later point, they can draw that money out as part of the system."



The President declared the question before the Senate to be adoption of the amendment by Senators McDermott and Hemstad to the amendment.

The motion by Senator McDermott carried and the amendment to the amendment was adopted.

#### MOTIONS

On motion of Senator McDermott, the following amendment to the amendment was adopted:

On page 48, after line 7, insert:

"NEW SECTION. Sec. 31. 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 Senator Zimmerman, the following amendment by Senators Zimmerman, Thompson, Bauer and McDermott to the amendment was adopted:

On page 9, after line 35, insert the following:

"Sec. 8. 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 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, while in the service of an employer, without wilful negligence on his 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 duty to his employer and that such member should be retired: PROVIDED FURTHER, That the retirement board concurs in the recommendation of the medical adviser: AND PROVIDED FURTHER, No application shall be valid or a claim thereunder enforceable unless filed within two years after the date upon which the injury occurred, except that a member who became temporarily totally incapacitated for duty as the natural and proximate result of an accident occurring in the actual performance of duty in the period between January 1, 1959, and January 1, 1961, while in the service of an employer, without wilful negligence on the member's part, may establish service credit for the period of the temporary incapacity by making an application within six months of the effective date of this act.

(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, shall be considered a retirement under subsection (1) of this section."

Renumber the sections consecutively and correct all internal references accordingly.

The President declared the question before the Senate to be adoption of the McDermott amendment, as amended.

The motion by Senator McDermott carried and the amendment, as amended, was adopted.

#### MOTION

On motion of Senator McDermott, the following title amendments were considered and adopted simultaneously:

On page 1, line 1 of the title, after "service;" strike the remainder of the title and insert "amending section 1, chapter 286, Laws of 1961 as amended by section 2, chapter 30, Laws of 1971 and RCW 2.12.012; amending section 9, chapter 163, Laws of 1982 and RCW 41.50.032; amending section 19, chapter 209, Laws of 1969 ex. sess. as amended by section 6, chapter 294, Laws of 1981 and RCW 41.26.210; amending section 20, chapter 209, Laws of 1969 ex. sess. as amended by section 7, chapter 294, Laws of 1981 and RCW 41.26.220; amending section 21, chapter 209, Laws of 1969 ex. sess. as amended by section 103, chapter 81, Laws of 1971 and RCW 41.26.230; amending section 9, chapter 209, Laws of 1969 ex. sess. as last amended by section 22, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.090; amending section 43.43.250, chapter 8, Laws of 1965 as last amended by section 26, chapter 52, Laws of 1982 1st ex. sess. and RCW 43.43.250; amending section 6, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.450; amending section 58, chapter 80, Laws of 1947 as amended by section 5, chapter 32, Laws of 1973 2nd ex. sess. and RCW 41.32.580; amending section 6, chapter 293, Laws of 1977 ex. sess. and RCW 41.32.775; amending section 6, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.650; amending section 13, chapter 274, Laws of 1947 as last amended by section 19, chapter 52, Laws of 1982 1st ex. sess. and RCW 41.40.120; amending section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 4, chapter 256, Laws of 1981 and RCW 41.26.030; amending section 8, chapter 294, Laws of 1977 ex. sess. as last amended by section 2, chapter 12, Laws of

1982 and RCW 41.26.470; adding a new section to chapter 41.32 RCW; adding new sections to chapter 41.40 RCW; adding a new chapter to Title 41 RCW; creating a new section; making an appropriation; and declaring an emergency."

On page 49, line 3, of the title, after "41.26.090;" insert "amending section 21, chapter 274, Laws of 1947 as last amended by section 3, chapter 18, Laws of 1982 and RCW 41.40.200;"

On page 49, line 29 of the title amendment, after "adding" strike "a new section" and insert: "new sections"

On page 49, line 32, of the title amendment, after "RCW;" insert: "amending section 6, chapter 199, Laws of 1974 ex. sess. and RCW 41.32.4945;"

On page 48, line 13, after "insert", strike all material down to and including "2.12.012;" on line 16.

#### MOTION

On motion of Senator McDermott, the rules were suspended, Engrossed Substitute Senate Bill No. 3226 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3226.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 3226, and the bill passed the Senate by the following vote: Yeas, 41; nays, 3; absent, 1; excused, 4.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, McCaslin, McDermott, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Woody, Zimmerman - 41.

Voting nay: Senators Guess, Quigg, Rasmussen - 3.

Absent: Senator Metcalf - 1.

Excused: Senators Haley, Lee, von Reichbauer, Wojahn - 4.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3226, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### POINT OF INQUIRY

Senator Deccio: "Would the President yield to a question?"

President Cherberg: "Yes, Senator Deccio."

Senator Deccio: "Which Father's Day were you talking about that we might get out of here? Was it this year or next year?"

President Cherberg: "When is Father's Day?"

Senator Deccio: "I don't know. Thank you."

There being no objection, the President returned the Senate to the fourth order of business.

#### MESSAGE FROM THE HOUSE

May 6, 1983

Mr. President:

The House has passed REENGROSSED SUBSTITUTE SENATE BILL NO. 3273 with the following amendments:

On page 1, line 27, after "the" strike "state" and insert "executive branch"

On page 1, line 30, after "including" strike "state" and insert "executive branch".

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Williams, the Senate concurred in the House amendments to Reengrossed Substitute Senate Bill No. 3273.

The President declared the question before the Senate to be the roll call on final passage of Reengrossed Substitute Senate Bill No. 3273, as amended by the House.

## ROLL CALL

The Secretary called the roll on final passage of Reengrossed Substitute Senate Bill No. 3273, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; excused, 4.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoche, Talmadge, Thompson, Vognild, Warnke, Williams, Woody, Zimmerman - 43.

Voting nay: Senators Craswell, McCaslin - 2.

Excused: Senators Haley, Lee, von Reichbauer, Wojahn - 4.

REENGROSSED SUBSTITUTE SENATE BILL NO. 3273, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE HOUSE

May 5, 1983

Mr. President:

The House has adopted the Report of the Conference Committee on ENGROSSED SENATE BILL NO. 3858 and has granted said committee the powers of Free Conference, and the Report of the Conference Committee is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## REPORT OF CONFERENCE COMMITTEE

May 5, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred, ENGROSSED SENATE BILL NO. 3858, authorizing the annexation of areas outside cities and towns upon consent of the property owners, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference for the purpose of amending the bill as follows:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 35.13.180, chapter 7, Laws of 1965 as amended by section 4, chapter 332, Laws of 1981 and RCW 35.13.180 are each amended to read as follows:

City and town councils of second and third class cities and towns may by a majority vote annex new territory outside the city or town limits, whether contiguous or noncontiguous for park, cemetery, or other municipal purposes when ~~((such territory is owned by the city or town))~~ all owners of the real property in the new territory give their written consent to the annexation.

NEW SECTION. Sec. 2. There is added to chapter 35.13 RCW a new section to read as follows:

All unincorporated areas that as of January 1, 1984, lie wholly within the boundaries of any city or town shall be incorporated into, and become part of, the city or town within whose boundaries the unincorporated area lies: PROVIDED, That the governing body of a city or town may, prior to January 1, 1984, adopt an ordinance removing all or a portion of such unincorporated areas from this annexation if a portion of each area annexed is contiguous with a portion of the boundary of the city or town. Land which is owned by a county and used for the purposes of an agricultural fair under chapter 15.76 or 36.37 RCW or a county park, however, shall not be annexed without the consent of a majority of the members of the legislative authority of the county which owns the land. For purposes of this section, an unincorporated area which is completely bounded by both a state boundary or a body or bodies of navigable water and the particular city or town is considered to lie wholly within the boundaries of a city or town.

NEW SECTION. Sec. 3. There is added to chapter 35.13 RCW a new section to read as follows:

A city or town shall not annex territory under RCW 35.10.211, 35.10.217, 35.13.015, 35.13.020, or 35.13.130 if, after the proposed annexation has occurred, any closed plane figure of unincorporated area could be drawn that includes a portion of the boundary of the newly-annexed area so that eighty percent or more of the figure's perimeter is coterminous with any of the annexing city's or town's boundaries. A city or town may, however, annex territory that lies within a corridor of unincorporated territory which existed before the effective date of this act despite the fact that it creates a closed plane figure prohibited by this section if, after the proposed annexation has occurred, another closed plane figure cannot be drawn within the

corridor so that a greater percentage of the perimeter is coterminous with the boundaries of the city or town than the perimeter of the original figure. In addition, a city or town shall not annex unincorporated territory if the annexation would result in an area of unincorporated territory being entirely surrounded by a body or bodies of water and the annexing city or town.

NEW SECTION. Sec. 4. There is added to chapter 35A.14 RCW a new section to read as follows:

All unincorporated areas that as of January 1, 1984, lie wholly within the boundaries of any code city shall be incorporated into, and become part of, the code city within whose boundaries the unincorporated area lies: PROVIDED, That the governing body of a code city may, prior to January 1, 1984, adopt an ordinance removing all or a portion of such unincorporated areas from this annexation if a portion of each area annexed is contiguous with a portion of the boundary of the code city. Land which is owned by a county and used for the purposes of an agricultural fair under chapter 15.76 or 36.37 RCW or a county park, however, shall not be annexed without the consent of a majority of the members of the legislative authority of the county which owns the land. For purposes of this section, an unincorporated area which is completely bounded by both a state boundary or a body or bodies of navigable water and the particular code city is considered to lie wholly within the boundaries of a code city.

NEW SECTION. Sec. 5. There is added to chapter 35A.14 RCW a new section to read as follows:

A code city shall not annex territory under RCW 35A.14.015, 35A.14.020, or 35A.14.120 if, after the proposed annexation has occurred, any closed plane figure of unincorporated area could be drawn that includes a portion of the boundary of the newly-annexed area so that eighty percent or more of the figure's perimeter is coterminous with any of the annexing code city's boundaries. A code city may, however, annex territory that lies within a corridor of unincorporated territory which existed before the effective date of this act despite the fact that it creates a closed plane figure prohibited by this section if, after the proposed annexation has occurred, another closed plane figure cannot be drawn within the corridor so that a greater percentage of the perimeter is coterminous with the boundaries of the code city than the perimeter of the original figure. In addition, a code city shall not annex unincorporated territory if the annexation would result in an area of unincorporated territory being entirely surrounded by a body or bodies of water and the annexing code city.

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, beginning on line 2 of the title, after "towns;" strike the remainder of the title and insert "amending section 35.13.180, chapter 7, Laws of 1965 as amended by section 4, chapter 332, Laws of 1981 and RCW 35.13.180; adding new sections to chapter 35.13 RCW; adding new sections to chapter 35A.14 RCW; and declaring an emergency."

Signed by: Senators Thompson, Granlund and Benitz; Representatives Moon, Charnley and Van Dyken.

#### MOTION

On motion of Senator Thompson, the Report of the Conference Committee on Engrossed Senate Bill No. 3858 was adopted, and the powers of Free Conference were granted.

#### REPORT OF CONFERENCE COMMITTEE

May 5, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred, ENGROSSED HOUSE BILL NO. 74, raising limits on local governments contracts that may benefit local officers, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference for the purpose of amending the bill as follows:

Strike everything after the enacting clause, and insert the following:

"Sec. 1. Section 4, chapter 268, Laws of 1961 as last amended by section 1, chapter 4, Laws of 1979 ex. sess. and by section 1, chapter 39, Laws of 1980 and RCW 42.23.030 are each amended and reenacted to read as follows:

No municipal officer shall be beneficially interested, directly or indirectly, in any contract which may be made by, through or under the supervision of such officer, in whole or in part, or which may be made for the benefit of his office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein. This section shall not apply in the following cases:

(1) The furnishing of electrical, water or other utility services by a municipality engaged in the business of furnishing such services, at the same rates and on the same terms as are available to the public generally;

(2) The designation of public depositaries for municipal funds;

(3) The publication of legal notices required by law to be published by any municipality, upon competitive bidding or at rates not higher than prescribed by law for members of the general public;

(4) The designation of a school director as clerk or as both clerk and purchasing agent of a school district;

(5) The employment of any person by a municipality, other than a county of the first class or higher, a city of the first or second class, an irrigation district encompassing in excess of fifty thousand acres, or a first class school district, for unskilled day labor at wages not exceeding one hundred dollars in any calendar month;

(6) The letting of any other contract (except a sale or lease as seller or lessor) by a municipality, other than a county of the first class or higher, a city of the first or second class, an irrigation district encompassing in excess of fifty thousand acres, or a first class school district: PROVIDED, That the total volume of business represented by such contract or contracts in which a particular officer is interested, singly or in the aggregate, as measured by the dollar amount of the municipality's liability thereunder, shall not exceed ~~((two))~~ seven hundred fifty dollars in any calendar month: PROVIDED FURTHER, That in the case of a particular officer of a city or town of the third, or fourth class, or a noncharter optional code city, or a member of any county fair board in a county which has not established a county purchasing department pursuant to RCW 36.32.240, the total volume of such contract or contracts authorized in this subsection may exceed ~~((two))~~ seven hundred fifty dollars in any calendar month but shall not exceed ~~((thirty-six hundred))~~ nine thousand dollars in any calendar year: PROVIDED FURTHER, That there shall be public disclosure by having an available list of such purchases or contracts, and if the supplier or contractor is an official of the municipality, he or she shall not vote on the authorization;

(7) The leasing by a port district as lessor of port district property to a municipal officer or to a contracting party in which a municipal officer may be beneficially interested, if in addition to all other legal requirements, a board of three disinterested appraisers, who shall be appointed from members of the American institute of real estate appraisers by the presiding judge of the superior court in the county where the property is situated, shall find and the court finds that all terms and conditions of such lease are fair to the port district and are in the public interest;

(8) The letting of any contract for the driving of a school bus in a second class school district: PROVIDED, That the terms of such contract shall be commensurate with the pay plan or collective bargaining agreement operating in the district;

(9) The letting of any contract to the spouse of an officer of a second class school district in which less than two hundred full time equivalent students are enrolled at the start of the school year as defined in RCW 28A.01.020, when such contract is solely for employment as a certificated or classified employee of the school district."

Signed by: Senators Thompson, Zimmerman and Bauer; Representatives Moon, Ebersole and Brough.

#### MOTION

On motion of Senator Thompson, the Report of the Conference Committee on Engrossed House Bill No. 74 was adopted, and the powers of Free Conference were granted.

#### SIGNED BY THE PRESIDENT

The President signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3163.

#### MOTION

On motion of Senator Shinpoch, the Senate advanced to the eighth order of business.

#### MOTION

On motion of Senator Conner, the following resolution was adopted:

#### SENATE RESOLUTION 1983-70

By Senators Conner, Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg,

Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody and Zimmerman; Lieutenant Governor John A. Cherberg; Sid Snyder, Secretary of the Senate; Bill Gleason, Assistant Secretary of the Senate; and Ole Scarpelli, Sergeant at Arms

WHEREAS, The largest organization of war veterans in the world, The American Legion, was born in France at the end of World War I; and

WHEREAS, The American Legion, its 2.6 million members and their programs, while born in war are dedicated to the preservation of peace; and

WHEREAS, The Sixty-fifth annual national convention of The American Legion will be held in Seattle, The Emerald City, from August 19 through 25, 1983; and

WHEREAS, Legionnaires will be joined by family members, the American Legion Auxiliary, Sons of the American Legion and other Legion-affiliated organizations in representing all fifty states and eight foreign areas; and

WHEREAS, The visit of The American Legion convention to Washington will allow Legionnaires and their families to once again enjoy our natural beauty, and enjoy the other many activities available in The Evergreen State;

NOW, THEREFORE, BE IT RESOLVED, By the Washington State Senate assembled at the Capitol in Olympia during this 48th Session, That we express a "WELCOME" to the many Legionnaires and their families, look forward to their first national visit to Seattle since the nation's bicentennial in 1976, and appreciate their belief in Seattle and Washington as a good place to visit; and

BE IT FURTHER RESOLVED, That we join with all Washingtonians in recognizing August 19-25, 1983, as "American Legion Week".

#### MOTION

On motion of Senator Conner, all members and the Lieutenant Governor will be included as additional sponsors of 1983-70.

#### MOTION

On motion of Senator McDermott, the following resolution was adopted:

#### SENATE RESOLUTION 1983-73

By Senators McDermott, Gaspard and Bauer

WHEREAS, On April 20, 1983 the Senate's 1983-85 biennial budget was approved by the full Senate; and

WHEREAS, On Friday, April 29, 1983, Judge Robert Doran of the Thurston County Superior Court issued a four and a half hours (4 1/2) oral decision on the School Funding II case; and

WHEREAS, The Doran Decision of April 29, 1983 was an oral decision without written documentation for review of the Legislature and absent any final findings of fact and conclusions of law and with the possibility of appeal to the Supreme Court; and

WHEREAS, The Doran Decision on School Funding II has answered the following two questions:

(a) Whether certain programs and components enumerated by the Petitioners are a necessary part of the basic program of education within the constitutional mandate imposed upon the state under Article IX, section 1 to make ample provision for the education of all resident children.

(b) Whether the Legislature has made ample provision for the funding of programs which are a necessary part of the "program of basic education".

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That our intention is to have the Senate Ways and Means Committee direct a thorough study (to be completed by December 1, 1983) and make recommendations on the implications of the Doran Decision. The Ways and Means Committee recommendations on funding levels and the legislative remedies implied by the Doran Decision will be considered by the full Senate during the 1984 Legislative Session.

BE IT FURTHER RESOLVED, That the following specific issues and areas will be addressed via the Senate Ways and Means study:

- formula definition and full funding of program NERC's
- lagging the staff mix
- transportation allocation formula and funding levels

- vocational education staff ratios
- substitute teacher days
- full funding formulas for Handicapped, Remediation Assistance Program and Bilingual Program

MOTION

At 6:25 p.m., on motion of Senator Shinpoch, the Senate adjourned until 9:00 a.m., Saturday, May 7, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

## THIRTEENTH DAY

---

### MORNING SESSION

---

Senate Chamber, Olympia, Saturday, May 7, 1983

The Senate was called to order at 9:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Bender, Benitz, Clarke, Craswell, Fuller, Granlund, Haley, Hemstad, Hughes, McDermott, McManus, Pullen, Quigg, Rasmussen, Sellar, Thompson, von Reichbauer and Williams. On motion of Senator Vognild, Senator McDermott was excused. On motion of Senator Jones, Senator von Reichbauer was excused.

The Sergeant at Arms Color Guard, consisting of Pages Winona Plant and Tony Gilchrist, presented the Colors. Reverend Wallace F. Misterek, pastor of Trinity Lutheran Church of Olympia, offered the prayer.

#### MOTION

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

#### REPORTS OF STANDING COMMITTEES

SHB 410 Prime Sponsor, Representatives Monohon: Authorizing fees to be charged by the department of ecology. Reported by Committee on Ways and Means

MAJORITY recommendation: Do pass. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman; Bauer, Bottiger, Fleming, Hughes, Talmadge, Thompson, Warnke, Wojahn, Woody.

MINORITY recommendation: Do not pass. Signed by Senators Craswell, Deccio, Hayner, Lee, Metcalf, Pullen.

Passed to Committee on Rules for second reading.

ESHB 605 Prime Sponsor, Representatives O'Brien: Revising provisions relating to the state convention and trade center. Reported by Committee on Ways and Means

MAJORITY recommendation: Do pass as amended. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman; Bauer, Bluechel, Deccio, Fleming, Hayner, Hughes, Lee, Warnke, Zimmerman.

MINORITY recommendation: Do not pass. Signed by Senators Craswell, Metcalf, Pullen, Wojahn.

Passed to Committee on Rules for second reading.

#### MESSAGE FROM THE HOUSE

May 6, 1983

Mr. President:

The House concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 127 and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

#### MESSAGE FROM THE HOUSE

May 5, 1983

Mr. President:

The House passed SUBSTITUTE HOUSE BILL NO. 39 as amended by the Senate with the exception of the amendment to page 3, line 31, from which the Senate receded.

DEAN R. FOSTER, Chief Clerk



## MESSAGE FROM THE HOUSE

May 6, 1983

Mr. President:

The House has passed SENATE BILL NO. 3188 with the following amendments:

On page 15, line 32, strike "two hundred twenty-one thousand forty dollars" and insert "one hundred thirty thousand dollars"

On page 16, line 8, after "1983" insert "and shall terminate June 30, 1987, as provided in section 37 of this act"

On page 16, after line 8, add a new section as follows:

"NEW SECTION. Sec 37. Sections 1 through 35 of this act as now existing or hereafter amended, and corresponding RCW sections are each repealed, effective June 30, 1987."

On page 1, line 2, of the title after "appropriation;" insert "providing for future repeal".

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## MOTION

On motion of Senator Talmadge, the Senate concurred in the House amendments to Senate Bill No. 3188.

The President declared the question before the Senate to be the roll call on final passage of Senate Bill No. 3188, as amended by the House.

## ROLL CALL

The Secretary called the roll on final passage of Senate Bill No. 3188, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 31; absent, 16; excused, 2.

Voting yeas: Senators Barr, Bauer, Bluechel, Bottiger, Conner, Deccio, Fleming, Gaspard, Goltz, Guess, Hansen, Hayner, Hurley, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Rinehart, Shinpoch, Talmadge, Vognild, Warnke, Wojahn, Woody, Zimmerman - 31.

Absent: Senators Bender, Benitz, Clarke, Craswell, Fuller, Granlund, Haley, Hemstad, Hughes, McManus, Pullen, Quigg, Rasmussen, Sellar, Thompson, Williams - 16.

Excused: Senators McDermott, von Reichbauer - 2.

SENATE BILL NO. 3188, 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 Senator Jones, Senators Haley, Benitz, Clarke and Pullen were excused.

On motion of Senator Vognild, Senators Bender, Hughes, McManus, Rasmussen, Thompson and Williams were excused.

On motion of Senator Zimmerman, Senators Sellar and Fuller were excused.

## MESSAGE FROM THE HOUSE

May 6, 1983

Mr. President:

The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 3311 with the following amendments:

On page 24, after line 9, insert the following:

"(5) Subsections (2), (3), and (4) of this section, as they relate to services other than those in an instructional, research, or principal administrative capacity, shall not apply to an individual who has worked in a noninstructional, nonresearch, and nonprincipal administrative capacity for an educational institution during the same period one year earlier and who is not working in the current period due to a lack of work."

On page 7, beginning on line 13, after "prescribe," strike all material down through "penalty," on line 13.

On page 7, beginning on line 25, strike all material down through "places," on line 29 and insert: "by the dollar amount of the state's minimum wage in effect for such reporting period and the quotient, disregarding any remainder, shall be credited to the worker: PROVIDED, That although the computation so made will not be subject to appeal by the employing unit. Monetary entitlement may be redetermined upon request if the department is provided with credible evidence of the actual hours worked."

On page 23, following line 30, add the following paragraph:

"The individual written notice to the employee from the employer must contain a statement that: (a) The notice will result in a denial of benefits; (b) there is a possibility of retroactive benefits if the individual is not offered an opportunity to perform services in the second academic year or term; and (c) to be eligible for retroactive benefits the individual must file a timely claim for benefits in each week for which retroactive benefits would be sought."

On page 28, line 19, after "18", strike "and 19" and insert "19 and 25"

On page 28, line 23, after "and" strike "26" and insert "25".

On page 28, after line 7, insert the following:

"Sec. 25. Section 13, chapter 18, Laws of 1982 1st ex. sess. and RCW 50.04.145 are each amended to read as follows:

The term "employment" shall not include services rendered by any person, firm, or corporation currently engaging in a business which is registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW when:

(1) Contracting to perform work for any contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW:

~~(2) ((There is no other person, firm or corporation doing the same work at the same time on the same project except two or more persons, firms or corporations may contract and do the same work at the same time on the same project if each person, firm or corporation has employees;~~

~~(3))~~ (3) The person, firm, or corporation has a principal place of business which would be eligible for a business deduction for internal revenue service tax purposes other than that furnished by the contractor for which the business has contracted to furnish services;

~~((4))~~ (3) The person, firm, or corporation maintains a separate set of books or records that reflect all items of income and expenses of the business; ~~((and~~

~~(5))~~ (4) The work which the person, firm, or corporation has contracted to perform is:

(a) The work of a contractor as defined in RCW 18.27.010; or

(b) The work of installing wires or equipment to convey electric current or installing apparatus to be operated by such current as it pertains to the electrical industry as described in chapter 19.28 RCW; and

(5) A contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW does not supervise or control the means by which the result is accomplished or the manner in which the work is performed."

Renumber the remaining section consecutively.

On page 2, line 11 of the title, after "section", insert ";

On page 1, line 6 of the title, after "50.04.115;" insert "amending section 13, chapter 18, Laws of 1982 1st ex. sess. and RCW 50.04.145;"

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Vognild, the Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 3311.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3311, as amended by the House.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 3311, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 37; excused, 12.

Voting yea: Senators Barr, Bauer, Bluechel, Bottiger, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rinehart, Shinpoch, Talmadge, Vognild, Warnke, Wojahn, Woody, Zimmerman - 37.

Excused: Senators Bender, Benitz, Clarke, Hughes, McDermott, McManus, Pullen, Rasmusen, Sellar, Thompson, von Reichbauer, Williams - 12.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3311, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 9:20 a.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 11:55 a.m.

## MESSAGES FROM THE HOUSE

May 6, 1983

Mr. President:

The Speaker has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 226,

SUBSTITUTE HOUSE BILL NO. 495,

HOUSE BILL NO. 595,

SUBSTITUTE HOUSE BILL NO. 740, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 5, 1983

Mr. President:

The Speaker has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 231,

SUBSTITUTE HOUSE BILL NO. 470, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 6, 1983

Mr. President:

The Speaker has signed:

SENATE BILL NO. 3390, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 6, 1983

Mr. President:

The Speaker has signed:

SENATE BILL NO. 3162,

SECOND SUBSTITUTE SENATE BILL NO. 3272, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 6, 1983

Mr. President:

The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 3163, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 3188,

ReENGROSSED SUBSTITUTE SENATE BILL NO. 3273,

ENGROSSED SUBSTITUTE SENATE BILL NO. 3311.

SIGNED BY THE PRESIDENT

The President signed:

SECOND SUBSTITUTE HOUSE BILL NO. 226,

SECOND SUBSTITUTE HOUSE BILL NO. 231,

SUBSTITUTE HOUSE BILL NO. 470,

SUBSTITUTE HOUSE BILL NO. 495,

HOUSE BILL NO. 595,

SUBSTITUTE HOUSE BILL NO. 740.

MOTION

At 11:57 a.m., on motion of Senator Shinpoch, the Senate adjourned until 10:00 a.m., Monday, May 9, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

## FIFTEENTH DAY

---

### MORNING SESSION

---

Senate Chamber, Olympia, Monday, May 9, 1983

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Sellar, Fleming, Moore and Thompson. On motion of Senator Vognild, Senators Fleming, Moore and Thompson were excused.

The Sergeant at Arms Color Guard, consisting of Pages Dave Pedigo and Chuck Harvison, presented the Colors. Reverend Theodore Marmo, pastor of St. Michael's Catholic Church of Olympia, offered the prayer.

#### MOTION

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

#### MESSAGES FROM THE HOUSE

May 7, 1983

Mr. President:

The Speaker has signed:

SENATE BILL NO. 3188,

SUBSTITUTE SENATE BILL NO. 3273,

SUBSTITUTE SENATE BILL NO. 3311, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 7, 1983

Mr. President:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 39,

SUBSTITUTE HOUSE BILL NO. 127,

SECOND SUBSTITUTE HOUSE BILL NO. 295, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 7, 1983

Mr. President:

The House has receded from its amendments to SUBSTITUTE SENATE BILL NO. 3520 and passed the bill without the House amendments, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 7, 1983

Mr. President:

The House has adopted the Report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 239, and has passed the bill as amended by the Free Conference Committee.

DEAN R. FOSTER, Chief Clerk

May 7, 1983

Mr. President:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 712,

SUBSTITUTE HOUSE BILL NO. 717, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MESSAGE FROM THE HOUSE

May 6, 1983

Mr. President:

The House has passed SUBSTITUTE SENATE BILL NO. 3628 with the following amendments:

On page 1, line 13, after "dollars" insert ", except that a person seventy years of age or older may pay a one-time fee of five dollars"

On page 1, line 25, after "least" strike "thirty" and insert "ninety".

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Owen, the Senate concurred in the House amendments to Substitute Senate Bill No. 3628.

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 3628, as amended by the House.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 3628, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; absent, 1; excused, 3.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 45.

Absent: Senator Sellar - 1.

Excused: Senators Fleming, Moore, Thompson - 3.

SUBSTITUTE SENATE BILL NO. 3628, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 10:17 a.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 11:46 a.m.

#### ANNOUNCEMENT OF COMMISSION MEMBERS ECONOMIC DEVELOPMENT AND JOB CREATION

Pursuant to Substitute House Concurrent Resolution No. 6, Senator Bottiger announced the following appointments:

Representing employers of over 1,000 employees and the 6th Congressional District, Mr. Charles E. Cereghino, Director of Corporate Services, The Weyerhaeuser Company;

Representing employers of more than 100, but less than 1,000 employees and the 5th Congressional District, Mr. Ned Barnholt, General Manager, Hewlett Packard;

Representing employers of less than 100 employees and the 7th Congressional District, Ms. Barbara Pool, President, Seaway Construction Company;

Representing education and the 1st Congressional District, Dr. Nancy Jacob, Dean of the School and Graduate School of Business Administration, University of Washington;

Also representing education and the 5th Congressional District, Dr. Nelson Grote, Chief Executive Officer, The Community Colleges of Spokane;

Representing labor and the 3rd Congressional District, Mr. Joseph Dear, Research Director, Washington State Labor Council, AFL-CIO;

Also representing labor and the 7th Congressional District, Ms. Rhonda Algier, International Organization of Hotel Employees, Restaurant Employees International Union, AFL-CIO;

Representing agriculture and the 4th Congressional District, Ms. Leslie Judd, President of Washington Women for the Survival of Agriculture;

Also representing agriculture and the 5th Congressional District, Mr. James W. Miller, President of Washington Association of Wheat Growers;

Representing financial institutions and the 7th Congressional District, Mr. Lawrence Connell, President of Washington Mutual Savings Bank;

Representing the State Investment Board and the 3rd Congressional District, Mr. John A. Hitchman, Executive Director;

Representing the public and the 2nd Congressional District, Mr. Robert Levin, Executive Director, Clallam County Economic Development Council;

Also representing the public and the 8th Congressional District, Mr. Leland F. Smith, Executive Director, Economic Development Council of Puget Sound;

Also representing the public and the 7th Congressional District, Mr. Orin Smith, Director of Operation, Touche, Ross and Company;

The two representatives of the Senate Minority Caucus are Senator Ellen Craswell of the 1st Congressional District and Senator Eleanor Lee of the 8th Congressional District;

The two representatives of the Senate Majority Caucus are Senator Larry Vognild of the 2nd Congressional District and Senator Ted Bottiger of the 6th Congressional District;

The two representatives from the House Majority Caucus are Representative Joe King of the 3rd Congressional District and Representative Jerry Ellis of the 4th Congressional District;

The two representatives of the House Minority Caucus are Representative Jean Silver of the 5th Congressional District and Representative Roger Van Dyken of the 2nd Congressional District.

#### MOTION

At 11:52 a.m., on motion of Senator Shipoch, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

#### SIGNED BY THE PRESIDENT

SUBSTITUTE HOUSE BILL NO. 39.  
SUBSTITUTE HOUSE BILL NO. 127.  
SECOND SUBSTITUTE HOUSE BILL NO. 295.

#### SIGNED BY THE PRESIDENT

SUBSTITUTE SENATE BILL NO. 3520.  
SUBSTITUTE SENATE BILL NO. 3628.

#### MESSAGE FROM THE HOUSE

May 7, 1983

Mr. President:

The House has concurred in the following Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 278: page 14, line 21; page 27, line 8; page 52, line 21; page 55, line 15; page 72, line 6; page 93, line 18, line 20 and line 28; and refuses to concur in the following listed amendments: page 46, line 35; page 66, line 28; page 78, line 13; page 80, line 24; page 83, line 32; page 7, line 13; and page 7, line 23, and asks the Senate to recede therefrom, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Owen, the Senate receded from its amendments to Engrossed Substitute House Bill No. 278 to page 46, line 35; page 66, line 28; page 78, line 13; page 80, line 24; page 83, line 32; page 7, line 13; and page 7, line 23.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 278, as amended by the Senate, but without the amendments to page 46, line 35; page 66, line 28; page 78, line 13; page 80, line 24; page 83, line 32; page 7, line 13; and page 7, line 23.

## ROLL CALL

The Secretary called the roll on final passage Engrossed Substitute House Bill No. 278, as amended by the House, but without certain amendments, and the bill passed the Senate by the following vote: Yeas, 43; absent, 5; excused, 1.

Voting yea: Senators Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, McCaslin, McManus, Metcalf, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vogtild, von Reichbauer, Warnke, Wojahn, Woody, Zimmerman - 43.

Absent: Senators Barr, Deccio, Hughes, McDermott, Williams - 5.

Excused: Senator Moore - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 278, as amended by the Senate, but without certain amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

At 1:40 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 3:21 p.m.

## MESSAGE FROM THE HOUSE

May 7, 1983

Mr. President:

The House has adopted the Report of the Conference Committee on ENGROSSED HOUSE BILL NO. 428 and has granted said committee the powers of Free Conference, and the Report of the Free Conference Committee is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## REPORT OF FREE CONFERENCE COMMITTEE

May 7, 1983

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred, ENGROSSED HOUSE BILL NO. 428, modifying certain court procedures, have had the same under consideration, and we recommend that the bill pass amended as follows:

(See Report of Conference Committee read in on May 6, 1983)

Signed by: Senators Talmadge, Hemstad and Hughes; Representatives Padden, Dellwo and Crane.

## MOTION

On motion of Senator Talmadge, the Report of the Free Conference Committee on Engrossed House Bill No. 428 was adopted.

## PARLIAMENTARY INQUIRY

Senator Newhouse: "Mr. President, I rise to a point of parliamentary inquiry. This is a time when we are accepting a Report of the Free Conference Committee. How many names--signatures--are required on a Report of a Free Conference Committee?"

## REPLY BY THE PRESIDENT

President Cherberg: "With the absence of Joint Rules, Senator Newhouse, the President believes that the Senate has to conduct business, at least in this respect, following Reed's Rules, which would require a majority of the members of each house--four members."

Senator Newhouse: "Mr. President, I have had some indication that the House is accepting a different report in requiring that a Free Conference Report have five signatures, as did our previous rules."

President Cherberg: "Joint Rules call for five out of six, Senator."

Senator Newhouse: "There seems to be a disparity in interpretation between the two bodies and I wonder if we couldn't, perhaps, solve that. I suggest the best way to solve it is to adopt joint rules."

## REMARKS BY SENATOR BOTTIGER

Senator Bottiger: "Mr. President, it is fun to debate the same issue day after day. That issue is not even before us. This Free Conference Committee Report is signed by all six."

The President declared the question before the Senate to be the roll call on final passage of Engrossed House Bill No. 428, as amended by the Free Conference Committee.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed House Bill No. 428, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 46; absent, 2; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Vogniid, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 46.

Absent: Senators Sellar, Thompson - 2.

Excused: Senator Moore - 1.

ENGROSSED HOUSE BILL NO. 428, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE HOUSE

May 6, 1983

Mr. President:

The House has adopted the Report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 4137 and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## REPORT OF FREE CONFERENCE COMMITTEE

May 7, 1983

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 4137, modifying provisions relating to adult corrections, have had the same under consideration, and we recommend that the bill pass as amended by the Free Conference Committee:

(See Report of Conference Committee read in on May 5, 1983)

Signed by: Senators Granlund, Owen and Pullen; Representatives Dellwo, Lewis and Niemi.

## MOTION

On motion of Senator Granlund, the Report of the Free Conference Committee on Substitute Senate Bill No. 4137 was adopted.

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 4137, as amended by the Free Conference Committee.

## ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 4137, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch,



Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 48.

Excused: Senator Moore - 1.

SUBSTITUTE SENATE BILL NO. 4137, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE

May 9, 1983

Mr. President:

The House refuses to concur in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 43, and asks the Senate to recede therefrom, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator McManus, the Senate receded from its amendments to Substitute House Bill No. 43.

#### POINT OF INQUIRY

Senator Newhouse: "Senator McManus, would you refresh our minds as to what amendment was backed off by the House amendment?"

Senator McManus: "Yes, Senator Newhouse, this was an amendment that we put on. That language was taken out in the House and put on Substitute Senate Bill No. 3660--DSHS powers--which will be before us--is on the calendar. The language was merely taken out and then put back on Senate Bill No. 3660."

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Substitute House Bill No. 43, without the Senate amendments.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute House Bill No. 43, without the Senate amendments, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent, 4; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 43.

Voting nay: Senator Pullen - 1.

Absent: Senators Benitz, Bluechel, Hayner, Hemstad - 4.

Excused: Senator Moore - 1.

SUBSTITUTE HOUSE BILL NO. 43, without the Senate amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE

May 7, 1983

Mr. President:

The House has adopted the Report of the Conference Committee on ENGROSSED SENATE BILL NO. 3817 and has granted said committee the powers of Free Conference, and the Report of the Conference Committee is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### REPORT OF CONFERENCE COMMITTEE

May 6, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred, ENGROSSED SENATE BILL NO. 3817, restricting body searches by the enforcement agencies, have had the same under consideration and we report that we are unable to agree and

respectfully request the powers of Free Conference to recommend that the bill pass as amended as follows:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. It is the intent of the legislature to establish policies regarding the practice of strip searching persons booked into holding, detention, or local correctional facilities. It is the intent of the legislature to restrict the practice of strip searching and body cavity searching persons booked into holding, detention, or local correctional facilities to those situations where such searches are necessary.

**NEW SECTION.** Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 1 through 6 of this act.

(1) "Strip search" means having a person remove or arrange some or all of his or her clothing so as to permit an inspection of the genitals, buttocks, anus, or undergarments of the person or breasts of a female person.

(2) "Body cavity search" means the touching or probing of a person's body cavity, whether or not there is actual penetration of the body cavity.

(3) "Body cavity" means the stomach or rectum of a person and the vagina of a female person.

(4) "Law enforcement agency" and "law enforcement officer" include local departments of corrections created pursuant to RCW 70.48.090(3) and employees thereof.

**NEW SECTION.** Sec. 3. (1) No person may be subjected to a body cavity search by or at the direction of a law enforcement agency unless a search warrant is issued pursuant to superior court criminal rules.

(2) No law enforcement officer may seek a warrant for a body cavity search without first obtaining specific authorization for the body cavity search from the ranking shift supervisor of the law enforcement authority. Authorization for the body cavity search may be obtained electronically; PROVIDED, That such electronic authorization shall be reduced to writing by the law enforcement officer seeking the authorization and signed by the ranking supervisor as soon as possible thereafter.

(3) Before any body cavity search is authorized or conducted, a thorough pat-down search, a thorough electronic metal-detector search, and a thorough clothing search, where appropriate, must be used to search for and seize any evidence of a crime, contraband, fruits of crime, things otherwise criminally possessed, weapons, or other things by means of which a crime has been committed or reasonably appears about to be committed. No body cavity search shall be authorized or conducted unless these other methods do not satisfy the safety, security, or evidentiary concerns of the law enforcement agency.

(4) A law enforcement officer requesting a body cavity search shall prepare and sign a report regarding the body cavity search. The report shall include:

(a) A copy of the written authorization required under subsection (2) of this section;

(b) A copy of the warrant and any supporting documents required under subsection (1) of this section;

(c) The name and sex of all persons conducting or observing the search;

(d) The time, date, place, and description of the search; and

(e) A statement of the results of the search and a list of any items removed from the person as a result of the search.

The report shall be retained as part of the law enforcement agency's records.

**NEW SECTION.** Sec. 4. Nothing in section 3 of this act or this section may be construed as precluding or preventing the administration of medical care to persons requiring immediate medical care or requesting medical care.

**NEW SECTION.** Sec. 5. (1) Persons conducting a strip search shall not touch the person being searched except as reasonably necessary to effectuate the strip search of the person.

(2) Any body cavity search must be performed under sanitary conditions and conducted by a physician, registered nurse, or physician's assistant, licensed to practice in this state, who is trained in the proper medical process and the potential health problems associated with a body cavity search. No health professional authorized by this subsection to conduct a body cavity search shall be held liable in any civil action if the search is conducted in a manner that meets the standards and requirements of RCW 4.24.290 and 7.70.040.

(3) Except as provided in subsection (7) of this section, a strip search or body cavity search, as well as presearch undressing or postsearch dressing, shall occur at a location made private from the observation of persons not physically conducting the search. A strip search or body cavity search shall be performed or observed only by persons of the same sex as the person being searched, except for licensed medical professionals as required by subsection (2) of this section.

(4) Except as provided in subsection (5) of this section, no person may be present or observe during the search unless the person is necessary to conduct the search or to ensure the safety of those persons conducting the search.

(5) Nothing in this section prohibits a person upon whom a strip search or body cavity search is to be performed from having a readily available person of his or her choosing

present at the time the search is conducted. However, the person chosen shall not be a person being held in custody by a law enforcement agency.

(6) Section 3 of this act and this section shall not be interpreted as expanding or diminishing the authority of a law enforcement officer with respect to searches incident to arrest or investigatory stop in public.

(7) A strip search of a person housed in a holding, detention, or local correctional facility to search for and seize a weapon may be conducted at other than a private location if there arises a specific threat to institutional security that reasonably requires such a search or if all persons in the facility are being searched for the discovery of weapons or contraband.

NEW SECTION, Sec. 6. Sections 3, 4, and 5 of this act shall not be construed as limiting any constitutional, common law, or statutory right of any person regarding any action for damages or injunctive relief, or as precluding the prosecution under another provision of law of any law enforcement officer or other person who has violated section 3, 4, or 5 of this act.

NEW SECTION, Sec. 7. The corrections standards board shall study the use of strip searches of persons booked into holding, detention, and local correctional facilities. The corrections standards board shall identify those categories of persons booked into holding, detention, and local correctional facilities which the board deems inappropriate to strip search or body cavity search. Minimum criteria to be employed by the board in identifying such categories shall be federal and state constitutional requirements. The board shall submit its findings and recommendations, together with proposed legislation, to the judiciary committees of the senate and house of representatives before January 1, 1984.

NEW SECTION, Sec. 8. Sections 1 through 6 of this act are each added to chapter 10.79 RCW.

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 on July 1, 1983.

On page 1, line 1 of the title, after "seizure;" strike the remainder of the title and insert "adding new sections to chapter 10.79 RCW; creating a new section; providing an effective date; and declaring an emergency."

Signed by: Senators Talmadge, Hemstad and Fleming; Representatives Locke, Belcher and Tilly.

#### MOTION

On motion of Senator Talmadge, the Report of the Conference Committee on Engrossed Substitute Senate Bill No. 3817 was adopted and the powers of Free Conference were granted.

#### MOTION

On motion of Senator Shipoch, the Senate reverted to the first order of business.

#### REPORT OF STANDING COMMITTEE

ESHB 55 Prime Sponsor, Committee on Ways and Means: Adopting the capital budget. Reported by Committee on Ways and Means  
May 7, 1983

MAJORITY recommendation: Do pass as amended. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman; Bauer, Bluechel, Bottiger, Fleming, Hughes, Rinehart, Shipoch, Talmadge, Thompson, Warnke, Zimmerman.

#### MOTIONS

On motion of Senator Shipoch, the rules were suspended, Engrossed Substitute House Bill No. 55 was advanced to second reading and placed on the second reading calendar.

On motion of Senator Shipoch, further consideration of Engrossed Substitute House Bill No. 55 was deferred.

#### REPORT OF STANDING COMMITTEE

EHB 1082 Prime Sponsor, Representative Grimm: Relating to fiscal matters. Reported by Committee on Ways and Means  
May 7, 1983

MAJORITY recommendation: Do pass as amended. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman; Bauer, Bluechel, Bottiger, Deccio, Fleming, Hughes, Shinpoch, Talmadge, Thompson, Warnke, Zimmerman.

MINORITY recommendation: Do not pass. Signed by Senators Craswell, Hayner, Metcalf.

#### MOTION

On motion of Senator Shinpoch, the rules were suspended, Engrossed House Bill No. 1082 was advanced to second reading and read the second time.

#### MOTION

Senator Hayner moved the following amendment be adopted:

On page 1, after line 4, strike everything after the enacting clause and insert the following:

"Sec. 1. Section 6, chapter 184, Laws of 1971 ex. sess. as amended by section 1, chapter 204, Laws of 1979 ex. sess. and RCW 39.42.060 are each amended to read as follows:

No bonds, notes, or other evidences of indebtedness for borrowed money shall be issued by the state which will cause the aggregate debt contracted by the state to exceed that amount for which payments of principal and interest in any fiscal year would require the state to expend more than seven percent of the arithmetic mean of its general state revenue, as defined in section 1 of Article VIII of the Washington State Constitution for the three immediately preceding fiscal years as certified by the treasurer in accordance with RCW 39.42.070. It shall be the duty of the state finance committee to compute annually the amount required to pay principal of and interest on outstanding debt. In making such computation, the state finance committee shall include all borrowed money represented by bonds, notes, or other evidences of indebtedness which are secured by the full faith and credit of the state or are required to be paid, directly or indirectly, from general state revenues and which are incurred by the state, any department, authority, public corporation or quasi public corporation of the state, any state university or college, or any other public agency created by the state but not by counties, cities, towns, school districts, or other municipal corporations, and shall include debt incurred pursuant to section 3 of Article VIII of the Washington State Constitution, but shall ~~((not include))~~ exclude the following:

(1) Obligations for the payment of current expenses of state government ~~((not shall it include))~~;

(2) Indebtedness incurred pursuant to RCW 39.42.080 or 39.42.090;

(3) Principal of and interest on bond anticipation notes ~~((or))~~;

(4) Any indebtedness which has been refunded;

(5) Indebtedness incurred as a result of bonds authorized for construction of a 500-bed medium security corrections center at Clallam Bay as authorized by section .... chapter .... Laws of 1983;

(6) Indebtedness incurred as result of bonds authorized for continued rehabilitation of the area surrounding Mount St. Helens; and

(7) Indebtedness incurred as a result of bonds authorized for jail construction pursuant to RCW 70.48A.020.

To the extent necessary because of the constitutional or statutory debt limitation, priorities with respect to the issuance or guaranteeing of bonds, notes, or other evidences of indebtedness by the state shall be determined by the state finance committee.

NEW SECTION, Sec. 2. This Act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Debate ensued.

#### POINT OF INQUIRY

Senator Patterson: "Senator McDermott, my question is concerned with the high tech legislation that we have before us under consideration and the capital projects that are there. Did I understand you to say that if we adopted this amendment that those projects would not be able to be put on line?"

Senator McDermott: "There is a serious question as to whether there will be the money to start those properly."

Senator Patterson: "A serious question--do you mean that because the bonding capacity is not adequate?"

Senator McDermott: "Senator, there is always the problem when you are not sure what interest rates are going to be, of limiting yourself to the very last dime. We have seen interest rates, in the last two years, go from twenty percent now to around eleven, and we are bouncing around and when you tie the lid down very

tight and you have to begin prioritizing, some of the reappropriations will have to be done before new projects can be started. That means that there is a potential for some of the high tech things being unable to begin. I think that would be a small tragedy. It is really stupid to tie our own hands when we need the future."

Further debate ensued.

Senator Bluechel demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on adoption of the amendment by Senator Hayner.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Hayner failed and the amendment was not adopted by the following vote: Yeas, 19; nays, 28; absent, 1; excused, 1.

Voting yea: Senators Benitz, Clarke, Craswell, Deccio, Guess, Haley, Hayner, Jones, Lee, McCaslin, Metcalf, Newhouse, Pullen, Quigg, Rasmussen, Sellar, von Reichbauer, Wojahn, Zimmerman - 19.

Voting nay: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Hansen, Hemstad, Hughes, Hurley, Kiskaddon, McDermott, McManus, Owen, Patterson, Peterson, Rinehart, Shipoch, Talmadge, Thompson, Vognild, Warnke, Williams - 28.

Absent: Senator Woody - 1.

Excused: Senator Moore - 1.

#### MOTION

On motion of Senator McDermott, the rules were suspended, Engrossed House Bill No. 1082 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### PARLIAMENTARY INQUIRY

Senator Rasmussen: "Mr. President, does this capital budget require a sixty percent? The rules are not very clear. It says 'passing the budget' and I realize that there are two budgets--the operating and then the capital budget--and they both have a lot of dollars in them and I was just wondering. I did not have an opportunity to review that. Does it take a sixty percent vote?"

#### REPLY BY THE PRESIDENT

President Cherberg: "Engrossed House Bill No. 1082 will require a simple majority of the members elected, Senator Rasmussen."

Further debate ensued.

#### POINT OF ORDER

Senator Rasmussen: "Mr. President, I wanted to make it clear that I was speaking of Governor Cherberg, rather than Governor Spellman. Governor Spellman was for the convention center bonds and Governor Cherberg said they should not be issued. I wanted to make that clear."

Further debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed House Bill No. 1082.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed House Bill No. 1082, and the bill passed the Senate by the following vote: Yeas, 27; nays, 21; excused, 1.

Voting yea: Senators Barr, Bender, Bluechel, Bottiger, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Hansen, Hemstad, Hughes, Jones, Kiskaddon, McDermott, McManus, Owen, Patterson, Peterson, Quigg, Sellar, Talmadge, Thompson, Vognild, Warnke, Williams - 27.

Voting nay: Senators Bauer, Benitz, Clarke, Craswell, Deccio, Guess, Haley, Hayner, Hurley, Lee, McCaslin, Metcalf, Newhouse, Pullen, Rasmussen, Rinehart, Shipoch, von Reichbauer, Wojahn, Woody, Zimmerman - 21.

Excused: Senator Moore - 1.

ENGROSSED HOUSE BILL NO. 1082, having received the 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 President advanced the Senate to the sixth order of business.

### SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 55, by Committee on Ways and Means (originally sponsored by Representatives Grimm and Cantu) (by Governor Spellman request)

Adopting the capital budget.

The bill was read the second time.

### MOTION

Senator McDermott moved that the following Committee on Ways and Means amendment be adopted:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION. Sec. 1. A capital budget is hereby adopted and, subject to the provisions set forth in this act, the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for capital projects during the period ending June 30, 1985, out of the several funds specified in this act.

### INDEX

Arts Commission, sec. 903  
 Central Washington University, secs. 835-851  
 Commerce and Economic Development Department, sec. 901  
 Community College Education Board, secs. 859-882  
 Corrections Department, secs. 228-244  
 Eastern Washington University, secs. 826-834  
 Ecology Department, secs. 301-318  
 Education, State Board of, sec. 883  
 Emergency Services Department, sec. 141  
 Employment Security Department, sec. 245  
 Evergreen State College, secs. 852-856  
 Fisheries Department, secs. 501-549  
 Game Department, secs. 601-647  
 General Administration Department, secs. 101-130  
 Labor and Industries Department, sec. 246  
 Military Department, secs. 135-140  
 Natural Resources Department, secs. 701-727  
 Parks and Recreation Commission, secs. 401-449  
 Secretary of State, secs. 131-134  
 Social and Health Services Department, secs. 201-227  
   Departmental Capital Services (Headquarters), secs. 201-208  
   Developmental Disabilities, secs. 214-219  
   Juvenile Rehabilitation, secs. 209-213  
   Mental Health, secs. 220-227  
 State Treasurer, sec. 902  
 University of Washington, secs. 814-825  
 Veterans Affairs Department, sec. 244  
 Vocational Education Commission, sec. 884  
 Washington State University, secs. 815-825  
 Western Washington State University, secs. 857-858

NEW SECTION. Sec. 2. As used in this act, the following phrases have the following meanings:

"GF, Cap Bldg Constr Acct" means General Fund—Capital Building Construction Account;

"GF, State Bldg Constr Acct" means General Fund—State Building Construction Account;

"GF, Fish Cap Proj Acct" means General Fund—Fisheries Capital Projects Account;

"GF, ORA" means General Fund—Outdoor Recreation Account;

"GF, Sal Enhmt Constr Acct" means General Fund—Salmon Enhancement Construction Account;

"GF, For Dev Acct" means General Fund—Forest Development Account;

"GF, Res Mgmt Cost Acct" means General Fund—Resource Management Cost Account;

"GF, LIRA, DSHS Fac" means General Fund—Local Improvements Revolving Account—

Department of Social and Health Services Facilities;

"GF, DSHS Constr Acct" means General Fund—State Social and Health Services Construction Account;

- "GF, CEP & RI Acct" means General Fund—Charitable, Educational, Penal, and Reformatory Institutions Account;
- "GF, Fire Trng Constr Acct" means General Fund—Fire Training Construction Account;
- "GF, WSU Bldg Acct" means General Fund—Washington State University Building Account;
- "GF, St H Ed Constr Acct" means General Fund—State Higher Education Construction Account;
- "GF, EWU Cap Proj Acct" means General Fund—Eastern Washington University Capital Projects Account;
- "GF, TESC Cap Proj Acct" means General Fund—The Evergreen State College Capital Projects Account;
- "GF, Com Col Cap Impvmt Acct" means General Fund—Community College Capital Improvement Account;
- "GF, Com Col Cap Proj Acct" means General Fund—Community College Capital Projects Account;
- "GF, Com Col Cap Constr Acct" means General Fund—1975 Community College Capital Construction Account;
- "GF, CWU Cap Proj Acct" means General Fund—Central Washington University Capital Projects Account;
- "GF, UW Bldg Acct" means General Fund—University of Washington Building Account;
- "GF, St Bldg Auth Constr Acct" means General Fund—State Building Authority Construction Account;
- "GF, WWU Cap Proj Acct" means General Fund—Western Washington University Capital Projects Account;
- "GF, Cap Purch & Dev Acct" means General Fund—Capitol Purchase and Development Account;
- "GF, Hndcp Fac Constr Acct" means General Fund—Handicapped Facilities Construction Account;
- "GF, LIRA, Waste Disp Fac" means General Fund—State and Local Improvement Revolving Account—Waste Disposal Facilities;
- "GF, State Emerg Water Proj Rev" means General Fund—Emergency Water Project Revolving Account—State;
- "GF, LIRA, Waste Fac 1980" means General Fund—State and Local Improvement Revolving Account—Waste Disposal Facilities 1980;
- "GF, LIRA, Water Sup Fac" means General Fund—State and Local Improvement Revolving Account—Water Supply Facilities;
- "GF, LIRA" means General Fund—State and Local Improvement Revolving Account;
- "GF, LIRA, Public Rec Fac" means General Fund State and Local Improvement Revolving Account—Public Recreation Facilities;
- "GF, PNW Fest Fac Constr Acct" means General Fund—Pacific Northwest Festival Facility Construction Account;
- "GF, Cultural Fac Constr Acct" means General Fund—Cultural Facilities Construction Account;
- "GF, H Ed Constr Acct" means General Fund—Higher Education Construction Account 1979;

"MV, State Patrol Hiwy Acct" means Motor Vehicle Fund—State Patrol Highway Account.

The words "capital improvements" or "capital projects" used in this act mean acquisition of sites, easements, rights of way, or improvements thereon and appurtenances thereto, construction and initial equipment, reconstruction, demolition, or major alterations of new or presently owned capital assets.

PART I  
GENERAL GOVERNMENT

NEW SECTION, Sec. 101. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To conduct an energy audit program of all state-owned buildings.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct	3,971,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,620,900		6,592,500

NEW SECTION, Sec. 102. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To complete the house office building basement alteration and ground floor hearing rooms remodel.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct	40,000	
Project	Estimated	Estimated
Costs	Costs	Total

Through 6/30/83 960,000	7/1/85 and Thereafter	Costs  1,000,000
<u>NEW SECTION.</u> Sec. 103. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION To provide for emergency repair projects on the Capitol campus, including the old capitol, and Capitol Lake.		
	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		216,000
GF. Cap Purch & Dev Acct		72,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		288,000
<u>NEW SECTION.</u> Sec. 104. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION To undertake three nondeterrable repair projects on the capitol campus.		
	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		24,000
GF. Cap Purch & Dev Acct		576,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		600,000
<u>NEW SECTION.</u> Sec. 105. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION To provide for unanticipated repairs and improvements on the capitol campus.		
	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		216,000
GF. Cap Purch & Dev Acct		72,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		288,000
<u>NEW SECTION.</u> Sec. 106. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION To implement three minor improvement projects on the capitol campus.		
	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		72,000
GF. Cap Purch & Dev Acct		5,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		77,000
<u>NEW SECTION.</u> Sec. 107. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION To repair existing campus elevators, escalators, and other conveyance systems.		
	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		106,000
GF. Cap Purch & Dev Acct		87,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	2,022,000	2,215,000
<u>NEW SECTION.</u> Sec. 108. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION To replace and maintain the roofs on capitol campus buildings.		
	Reappropriation	Appropriation
GF. State Bldg Constr Acct		298,000
GF. Cap Purch & Dev Acct		60,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		358,000
<u>NEW SECTION.</u> Sec. 109. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION To study repair and improve the water distribution system.		
	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		175,000



Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter 581,500	Estimated Total Costs  756,500
----------------------------------------	-----------------------------------------------------------	--------------------------------------------

NEW SECTION, Sec. 110. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To provide a fire and water damage protection system for the state library.

	Reappropriation	Appropriation 399,000
GF. Cap Bldg Constr Acct		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  399,000

NEW SECTION, Sec. 111. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To replace the water chiller at the employment security building.

	Reappropriation	Appropriation 500,000
GF. Cap Purch & Dev Acct		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  500,000

NEW SECTION, Sec. 112. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To clean and repair the exterior walls of the Temple of Justice.

	Reappropriation	Appropriation 165,000
GF. Cap Bldg Constr Acct		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  165,000

NEW SECTION, Sec. 113. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To provide improvements for handicapped access.

	Reappropriation	Appropriation 34,000
GF. Cap Bldg Constr Acct		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter 886,000	Estimated Total Costs  1,179,000

NEW SECTION, Sec. 114. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To convert industrial space vacated by the state printer in the general administration building to office space for the state auditor and the state treasurer, and to renovate vacated computer space in the state treasurer's office.

	Reappropriation	Appropriation 4,863,400
GF. State Bldg Constr Acct		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  4,863,400

NEW SECTION, Sec. 115. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To provide for the installation of energy conservation measures in various capitol campus buildings.

	Reappropriation	Appropriation 510,000
GF. Cap Bldg Constr Acct		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter 1,435,000	Estimated Total Costs  2,313,000

NEW SECTION, Sec. 116. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To correct leaks in the capitol campus garage.

	Reappropriation	Appropriation 362,000
GF. Cap Purch & Dev Acct		

Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
		362,000
<u>NEW SECTION, Sec. 117. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u> To effect critical repairs at the northern state multiservice center.		
GF, State Bldg Constr Acct	Reappropriation	Appropriation 100,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	3,768,800	3,868,800
<u>NEW SECTION, Sec. 118. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u> For Northern State Hospital repairs.		
GF, State Bldg Constr Acct	Reappropriation	Appropriation
Project	150,000	Estimated
Costs	Estimated	Total
Through	Costs	Costs
6/30/83	7/1/85 and	
1,925,000	Thereafter	2,075,000
<u>NEW SECTION, Sec. 119. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u> For campus electrical repairs.		
GF, Cap Bldg Constr Acct	Reappropriation	Appropriation
Project	700,000	Estimated
Costs	Estimated	Total
Through	Costs	Costs
6/30/83	7/1/85 and	
4,494,000	Thereafter	5,194,000
<u>NEW SECTION, Sec. 120. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u> For capitol campus electrical energy conservation.		
GF, Cap Bldg Constr Acct	Reappropriation	Appropriation
Project	100,000	Estimated
Costs	Estimated	Total
Through	Costs	Costs
6/30/83	7/1/85 and	
368,000	Thereafter	468,000
<u>NEW SECTION, Sec. 121. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u> For powerhouse equipment modifications and replacement.		
GF, Cap Bldg Constr Acct	Reappropriation	Appropriation
Project	200,000	Estimated
Costs	Estimated	Total
Through	Costs	Costs
6/30/83	7/1/85 and	
787,000	Thereafter	987,000
<u>NEW SECTION, Sec. 122. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u> For alterations to a portion of the state modular office building at airustrial park for the state printer.		
GF, State Bldg Constr Acct	Reappropriation	Appropriation
Project	1,040,000	Estimated
Costs	Estimated	Total
Through	Costs	Costs
6/30/83	7/1/85 and	
389,300	Thereafter	1,429,300
<u>NEW SECTION, Sec. 123. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u> To rehabilitate Capitol Lake.		
GF, Cap Bldg Constr Acct	Reappropriation	Appropriation
Project	1,400,000	Estimated
Costs	Estimated	Total
Through	Costs	Costs
	7/1/85 and	

6/30/83	Thereafter	
763,000		2,163,000
<u>NEW SECTION, Sec. 124. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
For Office Building No. 2 window drip cap installation.		
GF, Cap Bldg Constr Acct	Reappropriation	Appropriation
	106,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		106,000

NEW SECTION, Sec. 125. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
 For alteration of the basement and ground floor of the general administration building for use as office space: design only.

GF, Cap Bldg Constr Acct	Reappropriation	Appropriation
	435,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
15,000	5,050,000	5,500,000

NEW SECTION, Sec. 126. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
 For elevator/escalator repair and replacement.

GF, Cap Bldg Constr Acct	Reappropriation	Appropriation
	350,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
500,000		850,000

NEW SECTION, Sec. 127. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
 For the acquisition of the McNeil Island complex including Gertrude and Pitt Islands.

GF, State Bldg Constr Acct	Reappropriation	Appropriation
		8,800,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		8,800,000

NEW SECTION, Sec. 128. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
 To provide for alterations to the Public Lands Building for two ground level floor senate hearing rooms and support spaces. Includes funds not to exceed \$284,000 for department of natural resources office modifications and relocation of department of natural resources functions.

GF, Cap Bldg Constr Acct	Reappropriation	Appropriation
		849,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		849,000

NEW SECTION, Sec. 129. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
 To provide for Phase II House Office Building remodel.

GF, Cap Bldg Constr Acct	Reappropriation	Appropriation
		1,452,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,452,000

NEW SECTION, Sec. 130. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
 Plan, design, construct, furnish, and landscape a multitheatre international performing arts facility in south King County.

GF, PHW Frst Fac Constr Acct	Reappropriation	Appropriation
	5,000,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

	6/30/83	Thereafter	5,000,000
<u>NEW SECTION, Sec. 131. FOR THE SECRETARY OF STATE</u>			
For renovation of the central Washington regional archives in Ellensburg.			
		Reappropriation	Appropriation
GF, State Bldg Constr Acct			25,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		
32,000			57,000
<u>NEW SECTION, Sec. 132. FOR THE SECRETARY OF STATE</u>			
Renovate regional archives in King County.			
		Reappropriation	Appropriation
GF, State Bldg Constr Acct			48,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		
14,000			62,000
<u>NEW SECTION, Sec. 133. FOR THE SECRETARY OF STATE</u>			
Remodel existing space in the archives and records center in Olympia for a conservation laboratory.			
		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct			37,800
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		
			37,800
<u>NEW SECTION, Sec. 134. FOR THE SECRETARY OF STATE</u>			
Renovations to radar tower for records storage purposes in Blaine.			
		Reappropriation	Appropriation
GF, State Bldg Constr Acct			37,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		
			37,000
<u>NEW SECTION, Sec. 135. FOR THE MILITARY DEPARTMENT</u>			
Provide for minor renovation and energy conservation projects.			
		Reappropriation	Appropriation
GF, State Bldg Constr Acct			875,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		
			875,000
<u>NEW SECTION, Sec. 136. FOR THE MILITARY DEPARTMENT</u>			
To construct and equip maintenance shop—Fort Lewis.			
		Reappropriation	Appropriation
General Fund, Federal			1,438,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		
	268,000		1,706,000
<u>NEW SECTION, Sec. 137. FOR THE MILITARY DEPARTMENT</u>			
To construct and equip maintenance shop—Ephrata armory.			
		Reappropriation	Appropriation
General Fund, Federal			193,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		
	35,000		228,000
<u>NEW SECTION, Sec. 138. FOR THE MILITARY DEPARTMENT</u>			
Construct and equip a 200-man armory—Vancouver barracks.			

	Reappropriation	Appropriation
General Fund, Federal	78,000	
GF. State Bldg Constr Acct	39,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	2,004,000	2,121,000

NEW SECTION. Sec. 139. FOR THE MILITARY DEPARTMENT

Acquire and equip a 200-man armory—South King County.

	Reappropriation	Appropriation
General Fund, Federal	14,000	
GF. State Bldg Constr Acct	123,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,000	1,853,000	1,992,000

NEW SECTION. Sec. 140. FOR THE MILITARY DEPARTMENT

Complete exterior renovation and engineering study on total building renovation—Tacoma Armory.

	Reappropriation	Appropriation
GF. State Bldg Constr Acct		120,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	2,555,700	2,675,700

NEW SECTION. Sec. 141. FOR THE DEPARTMENT OF EMERGENCY SERVICES

Study to determine location and design of an emergency services command center.

	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		31,000
General Fund, Federal		6,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		37,000

PART II  
HUMAN RESOURCES

NEW SECTION. Sec. 201. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

Repairs and improvements—State-wide.

	Reappropriation	Appropriation
GF. DSHS Constr Acct	783,200	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,216,800		2,000,000

NEW SECTION. Sec. 202. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

(1) Construct and equip facilities for the care, training, and rehabilitation of persons with sensory, physical or mental handicaps (Referendum 37-Phase III).

(2) Approve, construct, and equip facilities for the care, training, and rehabilitation of persons with sensory, physical, or mental handicaps involving twenty projects and totaling \$2,645,000. The moneys allocated in this section shall revert for reallocation if the final application for the project has not been submitted by December 31, 1983, and approved by March 31, 1984 (Referendum 37-Phase IV).

	Reappropriation	Appropriation
GF. Hndcp Fac Constr Acct	12,057,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
12,943,000		25,000,000

NEW SECTION. Sec. 203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

The department of social and health services is authorized to allocate \$1,650,000 in Referendum 29 funds to the City of Seattle for the Downtown Seattle Special Residence for the Mentally Ill. The City of Seattle must submit an application by December 31, 1983, and must receive department approval by March 31, 1984, or the amount authorized shall lapse.

	Reappropriation	Appropriation
GF, LIRA, DSHS Fac		1,650,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,650,000

NEW SECTION, Sec. 204. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

Comply with section 504 relating to handicapped access to facilities.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	10,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
366,085	180,000	556,085

NEW SECTION, Sec. 205. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

Construct and equip a new state public health laboratory.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	675,000	10,163,100
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
440,900		11,279,000

NEW SECTION, Sec. 206. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

Establish and implement energy conservation program—DSHS institutions.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	750,000	1,174,900
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
690,000		2,614,900

NEW SECTION, Sec. 207. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

Develop project plans for major current and backlog facility deficiencies.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	90,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
201,239		291,239

NEW SECTION, Sec. 208. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

Renovation, repair, and construction related to small projects.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		2,637,600
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		2,637,600

NEW SECTION, Sec. 209. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION

Renovate kitchen, dining room, and administration building and construct new commissary—Naselle Youth Camp.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	60,000	

Project Costs Through 6/30/83 1,867,500	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 1,927,500
<u>NEW SECTION, Sec. 210. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION</u>		
Upgrade facilities including vocational and educational buildings—Green Hill School.		
	Reappropriation 365,000	Appropriation
GF, DSHS Constr Acct		
Project Costs Through 6/30/83 1,435,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 1,800,000
<u>NEW SECTION, Sec. 211. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION</u>		
Repair and replace roofs—Echo Glen Children's Center.		
	Reappropriation	Appropriation 1,231,700
GF, DSHS Constr Acct		
Project Costs Through 6/30/83 209,200	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 1,440,900
<u>NEW SECTION, Sec. 212. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION</u>		
Repair utilities—Maple Lane.		
	Reappropriation	Appropriation 609,100
GF, DSHS Constr Acct		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 609,100
<u>NEW SECTION, Sec. 213. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION</u>		
Repair utilities—Green Hill School.		
	Reappropriation	Appropriation 307,000
GF, DSHS Constr Acct		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 307,000
<u>NEW SECTION, Sec. 214. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES</u>		
Renovate Douglas Hall, renovate or construct infirmary, renovate habilitation center, make utility and site improvements, demolish old buildings on north campus, design through working drawings for Phase IV—Lakeland Village.		
	Reappropriation 4,824,500	Appropriation
GF, DSHS Constr Acct		
Project Costs Through 6/30/83 17,119,700	Estimated Costs 7/1/85 and Thereafter 1,425,500	Estimated Total Costs 23,369,700
<u>NEW SECTION, Sec. 215. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES</u>		
Construct and equip nine residential units, renovate skilled nursing center and health center, renovate kitchen, improve facilities and site, design through working drawings for Phase IV—Rainier School.		
	Reappropriation 9,174,800	Appropriation
GF, DSHS Constr Acct		
Project Costs Through	Estimated Costs 7/1/85 and	Estimated Total Costs

	6/30/83	Thereafter	
	22,956,200		32,131,000
<b>NEW SECTION, Sec. 216. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES</b>			
Renovate and equip the main building, Phase III—Yakima Valley School.			
		Reappropriation	Appropriation
GF, DSHS Constr Acct		328,300	6,031,500
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
7,882,300			14,242,100
<b>NEW SECTION, Sec. 217. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES</b>			
Repair and upgrade utilities, and fire and safety improvements, Phase IV—Fircrest.			
		Reappropriation	Appropriation
GF, DSHS Constr Acct		75,000	1,615,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
3,805,300			5,495,300
<b>NEW SECTION, Sec. 218. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES</b>			
Repair or replace roof—Interlake.			
		Reappropriation	Appropriation
GF, DSHS Constr Acct			345,900
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			345,900
<b>NEW SECTION, Sec. 219. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES</b>			
Construct and equip two additional 16-bed residential units—Complete Phase II—Frances Haddon Morgan.			
		Reappropriation	Appropriation
GF, DSHS Constr Acct			2,612,500
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
1,167,000	3,500,000		7,279,500
<b>NEW SECTION, Sec. 220. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH</b>			
Fire and safety improvements—Western State Hospital.			
		Reappropriation	Appropriation
GF, DSHS Constr Acct			289,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			289,000
<b>NEW SECTION, Sec. 221. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH</b>			
Repair cottages—Child Study and Treatment Center—Western State Hospital campus.			
		Reappropriation	Appropriation
GF, DSHS Constr Acct			245,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			245,000
<b>NEW SECTION, Sec. 222. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH</b>			
Completion of design, construction, and equipping 225-bed facility for the nonoffender population—Western State Hospital.			



	Reappropriation	Appropriation
GF, DSHS Constr Acct	1,113,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
19,630,000	550,000	21,293,000

NEW SECTION, Sec. 223. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH

Completion of health, safety, facility, utility and roofing improvements—Western State Hospital.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	838,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,493,000		2,331,000

NEW SECTION, Sec. 224. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH

Completion of design, construction, and equipping 130-bed facility for nonoffender population—Eastern State Hospital.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	50,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
11,985,000		12,035,000

NEW SECTION, Sec. 225. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH

Install emergency generator—Western State Hospital.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		655,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		655,700

NEW SECTION, Sec. 226. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH

Renovate wards—Eastern State Hospital.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		502,300
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	10,791,600	11,293,900

NEW SECTION, Sec. 227. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH

Renovate wards—Western State Hospital.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		377,100
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	16,096,800	16,473,900

NEW SECTION, Sec. 228. FOR THE DEPARTMENT OF CORRECTIONS

Cover current obligations related to design, site planning, and land acquisition for a 500-bed medium security corrections center at Grandview. New contracts or other expenditure obligations relative to this project are to be deferred.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	1,500,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

6/30/83	Thereafter	
1,126,400		2,626,400
<u>NEW SECTION, Sec. 229. FOR THE DEPARTMENT OF CORRECTIONS</u>		
Renovate heating and ventilation system—McNeil Island.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	395,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
105,000		500,000
<u>NEW SECTION, Sec. 230. FOR THE DEPARTMENT OF CORRECTIONS</u>		
Construct 500-bed medium security corrections center on the grounds of the Monroe Reformatory.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	12,970,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
20,892,300		33,862,300
<u>NEW SECTION, Sec. 231. FOR THE DEPARTMENT OF CORRECTIONS</u>		
Repair facilities and utilities—McNeil Island.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	1,000,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,667,406		2,667,406
<u>NEW SECTION, Sec. 232. FOR THE DEPARTMENT OF CORRECTIONS</u>		
Construct a 500-bed medium security corrections center—Clallam Bay.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	7,148,400	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,601,600		42,997,305
<u>NEW SECTION, Sec. 233. FOR THE DEPARTMENT OF CORRECTIONS</u>		
Continue to upgrade utilities, living units, and security capabilities—Phase II, Washington State Penitentiary.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	14,000,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
12,907,492		33,388,276
<u>NEW SECTION, Sec. 234. FOR THE DEPARTMENT OF CORRECTIONS</u>		
Upgrade security, housing units, utilities, services, and inmate movement—Phase II, Washington State Reformatory.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	146,500	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
576,900		17,740,450
<u>NEW SECTION, Sec. 235. FOR THE DEPARTMENT OF CORRECTIONS</u>		
Provide facilities for 600 additional inmates—Washington Corrections Center, Shelton.		
	Reappropriation	Appropriation
GF, State Bldg Constr Acct		21,400,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		21,400,000

NEW SECTION. Sec. 236. FOR THE DEPARTMENT OF CORRECTIONS  
Emergency and unanticipated projects.

GF, State Bldg Constr Acct		Reappropriation	Appropriation
Project	Estimated		337,000
Costs	Costs		Estimated
Through	7/1/85 and		Total
6/30/83	Thereafter		Costs
			337,000

NEW SECTION. Sec. 237. FOR THE DEPARTMENT OF CORRECTIONS  
Renovation, repair, construction of small projects—state-wide.

GF, State Bldg Constr Acct		Reappropriation	Appropriation
Project	Estimated		1,943,203
Costs	Costs		Estimated
Through	7/1/85 and		Total
6/30/83	Thereafter		Costs
			1,943,203

NEW SECTION. Sec. 238. FOR THE DEPARTMENT OF CORRECTIONS  
Improve water quality—Washington State Reformatory.

GF, State Bldg Constr Acct		Reappropriation	Appropriation
Project	Estimated		668,300
Costs	Costs		Estimated
Through	7/1/85 and		Total
6/30/83	Thereafter		Costs
			668,300

NEW SECTION. Sec. 239. FOR THE DEPARTMENT OF CORRECTIONS  
Renovate farm housing and provide 200 additional beds—McNeil Island.

GF, State Bldg Constr Acct		Reappropriation	Appropriation
Project	Estimated		871,165
Costs	Costs		Estimated
Through	7/1/85 and		Total
6/30/83	Thereafter		Costs
			871,165

NEW SECTION. Sec. 240. FOR THE DEPARTMENT OF CORRECTIONS  
Improve capability to handle mentally disturbed inmates—Washington Corrections Center.

GF, State Bldg Constr Acct		Reappropriation	Appropriation
Project	Estimated		319,954
Costs	Costs		Estimated
Through	7/1/85 and		Total
6/30/83	Thereafter		Costs
			319,954

NEW SECTION. Sec. 241. FOR THE DEPARTMENT OF CORRECTIONS  
Construct maximum security inmate living units—Purdy Treatment Center for Women.

GF, State Bldg Constr Acct		Reappropriation	Appropriation
Project	Estimated		5,161,095
Costs	Costs		Estimated
Through	7/1/85 and		Total
6/30/83	Thereafter		Costs
			5,161,095

NEW SECTION. Sec. 242. FOR THE DEPARTMENT OF CORRECTIONS  
Install bag house to comply with the air pollution control board's air quality emissions standards—Washington Corrections Center.

GF, State Bldg Constr Acct		Reappropriation	Appropriation
Project	Estimated		1,424,496
Costs	Costs		Estimated
Through	7/1/85 and		Total
6/30/83	Thereafter		Costs
			1,424,496

NEW SECTION. Sec. 243. FOR THE DEPARTMENT OF CORRECTIONS  
Replace old, small-capacity passenger ferry boat with larger-capacity boat—McNeil Island.

GF, State Bldg Constr Acct		Reappropriation	Appropriation
Project	Estimated		1,424,496
Costs	Costs		Estimated
Through	7/1/85 and		Total
6/30/83	Thereafter		Costs
			1,424,496

GF, State Bldg Constr Acct	Reappropriation	Appropriation
Project	Estimated	335,000
Costs	Costs	Estimated
Through	7/1/85 and	Total
6/30/83	Thereafter	Costs
		335,000

NEW SECTION, Sec. 244. FOR THE DEPARTMENT OF CORRECTIONS

Completion of repair and improvement of utilities and facilities—Omnibus.

GF, DSHS Constr Acct	Reappropriation	Appropriation
Project	200,000	Estimated
Costs	Estimated	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,400,000		1,600,000

NEW SECTION, Sec. 245. FOR THE DEPARTMENT OF VETERANS AFFAIRS

Repair and improve facilities at the Soldiers' Home and Veterans' Home.

GF, CEP & RI Acct	Reappropriation	Appropriation
Project	334,000	255,000
Costs	Estimated	Estimated
Through	7/1/85 and	Total
6/30/83	Thereafter	Costs
710,900		1,299,900

NEW SECTION, Sec. 246. FOR THE EMPLOYMENT SECURITY DEPARTMENT

Acquire land and construct an office building in Walla Walla.

Unemployment Compensation	Reappropriation	Appropriation
Administration Fund—Federal	545,000	246,250
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		791,250

NEW SECTION, Sec. 247. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

Repair and improve facilities at the Buckner rehabilitation center.

Medical Aid Fund	Reappropriation	Appropriation
Project		209,234
Costs	Estimated	Estimated
Through	7/1/85 and	Total
6/30/83	Thereafter	Costs
		209,234

## PART III

## DEPARTMENT OF ECOLOGY

NEW SECTION, Sec. 301. FOR THE DEPARTMENT OF ECOLOGY

Acquire property and construct building at Padilla Bay.

GF, Federal	Reappropriation	Appropriation
GF, ORA—State	300,000	
Project	500,000	Estimated
Costs	Estimated	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
896,000		1,696,000

NEW SECTION, Sec. 302. FOR THE DEPARTMENT OF ECOLOGY

Drilling of test observation wells in Island County.

GF, State Emerg Water Proj Rev	Reappropriation	Appropriation
Project	480,000	Estimated
Costs	Estimated	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		480,000

NEW SECTION, Sec. 303. FOR THE DEPARTMENT OF ECOLOGY

Provide low water fixtures to reduce water in drainfields, Alta Lake State Park.

Reappropriation      Appropriation

GF, LIRA, Waste Disp Fac	77,100	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
35,700		112,800

NEW SECTION. Sec. 304. FOR THE DEPARTMENT OF ECOLOGY

To construct waste disposal facilities at Dash Point, Riverside, and Sacajawea State Parks.

	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	181,200	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
564,800		746,000

NEW SECTION. Sec. 305. FOR THE DEPARTMENT OF ECOLOGY

To construct water supply facilities at Sacajawea State Park.

	Reappropriation	Appropriation
GF, LIRA	124,900	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
95,100		220,000

NEW SECTION. Sec. 306. FOR THE DEPARTMENT OF ECOLOGY

Equip three marine parks (Squaxin Island, Jones Island, and Sucia Island) with self-contained organic sewage treatment systems.

	Reappropriation	Appropriation
GF, LIRA Waste Fac 1980	91,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
36,100		127,100

NEW SECTION. Sec. 307. FOR THE DEPARTMENT OF ECOLOGY

Provide facilities in twenty-seven parks for the disposal of marine sewage from Porta-Potties.

	Reappropriation	Appropriation
GF, LIRA, Waste Fac 1980	104,800	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		104,800

NEW SECTION. Sec. 308. FOR THE DEPARTMENT OF ECOLOGY

Renovate primary and secondary water distribution system—Larrabee State Park.

	Reappropriation	Appropriation
GF, LIRA, Water Sup Fac	43,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		43,600

NEW SECTION. Sec. 309. FOR THE DEPARTMENT OF ECOLOGY

Provide water service connection for fire protection and public use—Saint Edward State Park.

	Reappropriation	Appropriation
GF, LIRA, Water Sup Fac	220,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		220,000

NEW SECTION. Sec. 310. FOR THE DEPARTMENT OF ECOLOGY

Provide for water system improvements—Sun Lakes State Park.

	Reappropriation	Appropriation
GF, LIRA, Water Sup Fac	35,000	
Project	Estimated	Estimated

	Costs Through 6/30/83 48,600	Costs 7/1/85 and Thereafter	Total Costs  83,600
<u>NEW SECTION, Sec. 311. FOR THE DEPARTMENT OF ECOLOGY</u> Extend water system—Jones Island.			
GF, LIRA—Water Supply		Reappropriation 48,300	Appropriation
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter		Estimated Total Costs  48,300
<u>NEW SECTION, Sec. 312. FOR THE DEPARTMENT OF ECOLOGY</u> Extend water system—Blake Island.			
GF, LIRA—Water Supply		Reappropriation 87,700	Appropriation
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter		Estimated Total Costs  87,700
<u>NEW SECTION, Sec. 313. FOR THE DEPARTMENT OF ECOLOGY</u> Improve sewage lagoon—Brooks Memorial State Park, Klickitat County.			
GF, LIRA, Waste Fac 1980		Reappropriation	Appropriation 92,700
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter		Estimated Total Costs  92,700
<u>NEW SECTION, Sec. 314. FOR THE DEPARTMENT OF ECOLOGY</u> Provide funds for sewage treatment facility expansion—Moran State Park, San Juan County.			
GF, LIRA, Waste Fac 1980		Reappropriation	Appropriation 78,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter		Estimated Total Costs  78,000
<u>NEW SECTION, Sec. 315. FOR THE DEPARTMENT OF ECOLOGY</u> Connect Ocean City State Park's existing sewer system to Ocean Shores municipal sewer system—Grays Harbor County.			
GF, LIRA, Waste Fac 1980		Reappropriation	Appropriation 120,400
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter		Estimated Total Costs  120,400
<u>NEW SECTION, Sec. 316. FOR THE DEPARTMENT OF ECOLOGY</u> Repair and remodel sewage system—Sun Lakes State Park, Grant County.			
GF, LIRA, Waste Fac 1980		Reappropriation	Appropriation 312,700
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter		Estimated Total Costs  312,700
<u>NEW SECTION, Sec. 317. FOR THE DEPARTMENT OF ECOLOGY</u> Renovate sewage system—Illahee State Park, Kitsap County.			
GF, LIRA, Waste Fac 1980		Reappropriation	Appropriation 38,800
Project Costs Through	Estimated Costs 7/1/85 and		Estimated Total Costs

	6/30/83	Thereafter	38,800
<u>NEW SECTION, Sec. 318. FOR THE DEPARTMENT OF ECOLOGY</u>			
Renovate sewage system—Pacific Beach State Park, Grays Harbor County.			
		Reappropriation	Appropriation
GF, LIRA, Waste Fac 1980			26,300
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	26,300

PART IV

STATE PARKS AND RECREATION COMMISSION

NEW SECTION, Sec. 401. FOR THE STATE PARKS AND RECREATION COMMISSION  
Whatcom County Trails.

		Reappropriation	Appropriation
GF, ORA—State		30,000	
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	30,000

NEW SECTION, Sec. 402. FOR THE STATE PARKS AND RECREATION COMMISSION  
Acquire access to ocean beach (Griffiths Priddy)—Copalis.

		Reappropriation	Appropriation
GF, ORA—State		105,000	
GF, ORA—Federal		105,000	
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	210,000

NEW SECTION, Sec. 403. FOR THE STATE PARKS AND RECREATION COMMISSION  
Develop facilities—Fort Canby.

		Reappropriation	Appropriation
GF, ORA—State		44,000	
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	88,000
44,000			

NEW SECTION, Sec. 404. FOR THE STATE PARKS AND RECREATION COMMISSION  
Develop facilities—Spencer Spit.

		Reappropriation	Appropriation
GF, ORA—State		85,000	
GF, ORA—Federal		85,000	
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	638,000
468,000			

NEW SECTION, Sec. 405. FOR THE STATE PARKS AND RECREATION COMMISSION  
Acquire land—Squak Mountain.

		Reappropriation	Appropriation
GF, ORA—State		39,000	
GF, ORA—Federal		39,000	
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	78,000
468,000			

NEW SECTION, Sec. 406. FOR THE STATE PARKS AND RECREATION COMMISSION  
Renovate facilities—Camp Wooten.

		Reappropriation	Appropriation
GF, ORA—State		20,700	
GF, ORA—Federal		20,700	
Project		Estimated	Estimated
Costs		Costs	Total

Through 6/30/83 67,600	7/1/85 and Thereafter	Costs	109,000
<u>NEW SECTION, Sec. 407. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Develop facilities—Clallam Spit.			
	Reappropriation	Appropriation	
GF. ORA—State	88,500		
GF. ORA—Federal	88,500		
Project Costs	Estimated Costs	Estimated Total Costs	
Through 6/30/83 2,000	7/1/85 and Thereafter		179,000
<u>NEW SECTION, Sec. 408. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Acquire recreational sites—Beards Hollow and Penrose.			
	Reappropriation	Appropriation	
GF. ORA—State	58,900		
Project Costs	Estimated Costs	Estimated Total Costs	
Through 6/30/83 8,281,400	7/1/85 and Thereafter		8,340,300
<u>NEW SECTION, Sec. 409. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Continue to acquire approximately 350 to 400 acres and 1.5 miles of riverfront—Green River Gorge.			
	Reappropriation	Appropriation	
GF. ORA—State	296,000		
Project Costs	Estimated Costs	Estimated Total Costs	
Through 6/30/83 5,400,000	7/1/85 and Thereafter		5,696,000
<u>NEW SECTION, Sec. 410. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Acquire approximately 152 acres adjacent to Yakima Sportsman State Park.			
	Reappropriation	Appropriation	
GF. ORA—State	150,000		
Project Costs	Estimated Costs	Estimated Total Costs	
Through 6/30/83	7/1/85 and Thereafter		150,000
<u>NEW SECTION, Sec. 411. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Repair and replace timber breakwater—Fort Worden.			
	Reappropriation	Appropriation	
GF. ORA—State	22,600		
Project Costs	Estimated Costs	Estimated Total Costs	
Through 6/30/83 171,200	7/1/85 and Thereafter		193,800
<u>NEW SECTION, Sec. 412. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Renovate car-top boat launch ramp and turnaround—Potholes.			
	Reappropriation	Appropriation	
GF. ORA—State	7,600		
GF. ORA—Federal	7,600		
Project Costs	Estimated Costs	Estimated Total Costs	
Through 6/30/83 15,300	7/1/85 and Thereafter		30,500
<u>NEW SECTION, Sec. 413. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Expand boat moorage—Deception Pass.			
	Reappropriation	Appropriation	
GF. ORA—State	25,600		
GF. ORA—Federal	25,600		
Project Costs	Estimated Costs	Estimated Total Costs	
Through	7/1/85 and		



	6/30/83	Thereafter		51,200
<u>NEW SECTION. Sec. 414. FOR THE STATE PARKS AND RECREATION COMMISSION</u>				
Renovate campground and day-use area—Riverside.				
			Reappropriation	Appropriation
GF. ORA—State			106,000	
Project		Estimated		Estimated
Costs		Costs		Total
Through		7/1/85 and		Costs
6/30/83		Thereafter		
194,000				300,000
<u>NEW SECTION. Sec. 415. FOR THE STATE PARKS AND RECREATION COMMISSION</u>				
Begin trail system development—Mt. Spokane.				
			Reappropriation	Appropriation
GF. ORA—State			53,200	
GF. ORA—Federal			53,200	
Project		Estimated		Estimated
Costs		Costs		Total
Through		7/1/85 and		Costs
6/30/83		Thereafter		
93,600				200,000
<u>NEW SECTION. Sec. 416. FOR THE STATE PARKS AND RECREATION COMMISSION</u>				
Construct small bathhouse and kitchen—Fort Worden.				
			Reappropriation	Appropriation
GF. ORA—State			89,900	
Project		Estimated		Estimated
Costs		Costs		Total
Through		7/1/85 and		Costs
6/30/83		Thereafter		
89,900				179,800
<u>NEW SECTION. Sec. 417. FOR THE STATE PARKS AND RECREATION COMMISSION</u>				
Renovate concession area—Twenty-Five Mile Creek.				
			Reappropriation	Appropriation
GF. ORA—State			129,000	
Project		Estimated		Estimated
Costs		Costs		Total
Through		7/1/85 and		Costs
6/30/83		Thereafter		
139,000				268,000
<u>NEW SECTION. Sec. 418. FOR THE STATE PARKS AND RECREATION COMMISSION</u>				
Renovate day-use area—Saltwater.				
			Reappropriation	Appropriation
GF. ORA—State			87,700	
Project		Estimated		Estimated
Costs		Costs		Total
Through		7/1/85 and		Costs
6/30/83		Thereafter		
27,800				115,500
<u>NEW SECTION. Sec. 419. FOR THE STATE PARKS AND RECREATION COMMISSION</u>				
Renovate campground area—Larrabee.				
			Reappropriation	Appropriation
GF. ORA—State			68,600	
GF. ORA—Federal			68,600	
Project		Estimated		Estimated
Costs		Costs		Total
Through		7/1/85 and		Costs
6/30/83		Thereafter		
				137,200
<u>NEW SECTION. Sec. 420. FOR THE STATE PARKS AND RECREATION COMMISSION</u>				
Renovate day-use area—Wenberg.				
			Reappropriation	Appropriation
GF. ORA—State			98,400	
GF. ORA—Federal			35,700	
Project		Estimated		Estimated
Costs		Costs		Total
Through		7/1/85 and		Costs
6/30/83		Thereafter		
				134,100

NEW SECTION. Sec. 421. FOR THE STATE PARKS AND RECREATION COMMISSION

Renovate boat moorage areas: Squaxin Island, Mystery Bay, Jarrell Cove, Penrose Point, Blake Island, and Cornet Bay.

	Reappropriation	Appropriation
GF. ORA—State	139,500	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
292,800		432,300

NEW SECTION. Sec. 422. FOR THE STATE PARKS AND RECREATION COMMISSION

Begin phased restoration of day-use buildings—Millersylvania.

	Reappropriation	Appropriation
GF. ORA—State	96,000	
GF. ORA—Federal	73,400	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
79,900		249,300

NEW SECTION. Sec. 423. FOR THE STATE PARKS AND RECREATION COMMISSION

Renovate 25 campsites—Birch Bay.

	Reappropriation	Appropriation
GF. ORA—State	45,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
79,600		125,300

NEW SECTION. Sec. 424. FOR THE STATE PARKS AND RECREATION COMMISSION

Install rock riprap—Fort Casey.

	Reappropriation	Appropriation
GF. ORA—State	26,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
26,000		52,000

NEW SECTION. Sec. 425. FOR THE STATE PARKS AND RECREATION COMMISSION

Acquire portions of riverbank on the Green River.

	Reappropriation	Appropriation
GF. ORA—State	151,500	
GF. ORA—Federal	155,200	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
443,300		750,000

NEW SECTION. Sec. 426. FOR THE STATE PARKS AND RECREATION COMMISSION

Provide emergency funds—State-wide.

	Reappropriation	Appropriation
GF. LIRA, Pub Rec Fac		400,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	950,000	1,350,000

NEW SECTION. Sec. 427. FOR THE STATE PARKS AND RECREATION COMMISSION

Insulate ceilings and walls—Fort Warden.

	Reappropriation	Appropriation
GF. LIRA, Pub Rec Fac		255,200
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	255,200	510,400

NEW SECTION. Sec. 428. FOR THE STATE PARKS AND RECREATION COMMISSION

Install 7,500 feet of underground cable—Fort Flagler.

GF, LIRA, Pub Rec Fac		Reappropriation	Appropriation
Project			53,800
Costs	Estimated		Estimated
Through	Costs		Total
6/30/83	7/1/85 and		Costs
	Thereafter		
			53,800

NEW SECTION, Sec. 429. FOR THE STATE PARKS AND RECREATION COMMISSION

Renovate kitchen/dining hall; paint entire structure, provide sidewalks for handicap access—Deception Pass (Cornet Bay).

GF, LIRA, Pub Rec Fac		Reappropriation	Appropriation
Project			69,800
Costs	Estimated		Estimated
Through	Costs		Total
6/30/83	7/1/85 and		Costs
	Thereafter		
			69,800

NEW SECTION, Sec. 430. FOR THE STATE PARKS AND RECREATION COMMISSION

Insulate and install storm windows and weather stripping—State-wide.

GF, LIRA, Pub Rec Fac		Reappropriation	Appropriation
Project			71,600
Costs	Estimated		Estimated
Through	Costs		Total
6/30/83	7/1/85 and		Costs
150,000	Thereafter		
			221,600

NEW SECTION, Sec. 431. FOR THE STATE PARKS AND RECREATION COMMISSION

Provide insulation blankets for all hot water tanks—State-wide.

GF, LIRA, Pub Rec Fac		Reappropriation	Appropriation
Project			11,000
Costs	Estimated		Estimated
Through	Costs		Total
6/30/83	7/1/85 and		Costs
	Thereafter		
			11,000

NEW SECTION, Sec. 432. FOR THE STATE PARKS AND RECREATION COMMISSION

Construct residence, provide underground utilities and landscape—Spencer Spit.

GF, LIRA, Public Rec Fac		Reappropriation	Appropriation
Project			86,700
Costs	Estimated		Estimated
Through	Costs		Total
6/30/83	7/1/85 and		Costs
	Thereafter		
			86,700

NEW SECTION, Sec. 433. FOR THE STATE PARKS AND RECREATION COMMISSION

Replace shop buildings at five sites.

GF, LIRA, Public Rec Fac		Reappropriation	Appropriation
Project			164,200
Costs	Estimated		Estimated
Through	Costs		Total
6/30/83	7/1/85 and		Costs
	Thereafter		
			164,200

NEW SECTION, Sec. 434. FOR THE STATE PARKS AND RECREATION COMMISSION

Provide a water treatment system to remove sulfur odor from park's water supply—Kopachuck.

GF, ORA		Reappropriation	Appropriation
Project			4,700
Costs	Estimated		Estimated
Through	Costs		Total
6/30/83	7/1/85 and		Costs
	Thereafter		
			4,700

NEW SECTION, Sec. 435. FOR THE STATE PARKS AND RECREATION COMMISSION

Provide a water treatment system to remove the sulfur odor from the park's water supply—South Whidbey.

GF, ORA		Reappropriation	Appropriation
			14,000

	Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  14,000
	<u>NEW SECTION.</u> Sec. 436. FOR THE STATE PARKS AND RECREATION COMMISSION		
	Develop a new water source to replace existing surface reservoir system—Fort Columbia.		
		Reappropriation	Appropriation 42,000
GF, ORA	Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  42,000
	<u>NEW SECTION.</u> Sec. 437. FOR THE STATE PARKS AND RECREATION COMMISSION		
	Provide a new eight-inch well and a 10,000 gallon reservoir—Brooks Memorial.		
		Reappropriation	Appropriation 39,600
GF, ORA	Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  39,600
	<u>NEW SECTION.</u> Sec. 438. FOR THE STATE PARKS AND RECREATION COMMISSION		
	Provide a new well and pump—Millersylvania.		
		Reappropriation	Appropriation 13,100
GF, ORA	Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  13,100
	<u>NEW SECTION.</u> Sec. 439. FOR THE STATE PARKS AND RECREATION COMMISSION		
	Develop a deep well water source to replace existing shallow well—Ocean City.		
		Reappropriation	Appropriation 9,800
GF, ORA	Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  9,800
	<u>NEW SECTION.</u> Sec. 440. FOR THE STATE PARKS AND RECREATION COMMISSION		
	Staged acquisition for the Green River Gorge Conservation Area.		
		Reappropriation	Appropriation 250,000
GF, LIRA, ORA—State			250,000
GF, LIRA, ORA—Federal			250,000
	Project Costs Through 6/30/83 4,200,000	Estimated Costs 7/1/85 and Thereafter 500,000	Estimated Total Costs  5,200,000
	<u>NEW SECTION.</u> Sec. 441. FOR THE STATE PARKS AND RECREATION COMMISSION		
	Provide for complete assessment of the stability of Lake Sylvia dam and for minor repairs.		
		Reappropriation	Appropriation 21,500
GF, ORA	Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  21,500
	<u>NEW SECTION.</u> Sec. 442. FOR THE STATE PARKS AND RECREATION COMMISSION		
	Provide chain link fence along railroad right-of-way to provide safety for visitors— Larrabee.		
		Reappropriation	Appropriation 42,500
GF, LIRA, ORA—State			42,500
	Project Costs	Estimated Costs	Estimated Total

Through 6/30/83	7/1/85 and Thereafter	Costs
		42,500
<u>NEW SECTION</u> , Sec. 443. FOR THE STATE PARKS AND RECREATION COMMISSION		
Planning and engineering costs for handicapped accessibility—State-wide.		
	Reappropriation	Appropriation
GF, ORA—State		112,700
GF, ORA—Federal		112,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		225,400
<u>NEW SECTION</u> , Sec. 444. FOR THE STATE PARKS AND RECREATION COMMISSION		
Replace mooring floats, repair boat ramp, grounding floats and pilings—Beacon Rock.		
	Reappropriation	Appropriation
GF, ORA—State		38,400
GF, ORA—Federal		38,400
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		76,800
<u>NEW SECTION</u> , Sec. 445. FOR THE STATE PARKS AND RECREATION COMMISSION		
Replace breakwater, ramps, floats and piling; replace hinged ramp, three floats and piling—Illahee.		
	Reappropriation	Appropriation
GF, ORA—State		90,400
GF, ORA—Federal		90,400
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		180,800
<u>NEW SECTION</u> , Sec. 446. FOR THE STATE PARKS AND RECREATION COMMISSION		
Develop two-way paved access road—Fort Ward.		
	Reappropriation	Appropriation
GF, ORA—State		84,800
GF, ORA—Federal		84,800
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		169,600
<u>NEW SECTION</u> , Sec. 447. FOR THE STATE PARKS AND RECREATION COMMISSION		
Replace existing moorage buoys—Blake Island.		
	Reappropriation	Appropriation
GF, ORA—State		15,300
GF, ORA—Federal		15,300
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		30,600
<u>NEW SECTION</u> , Sec. 448. FOR THE STATE PARKS AND RECREATION COMMISSION		
Renovate boat launch and provide new floats—Wenberg.		
	Reappropriation	Appropriation
GF, ORA—State		28,500
GF, ORA—Federal		28,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		57,000
<u>NEW SECTION</u> , Sec. 449. FOR THE STATE PARKS AND RECREATION COMMISSION		
Provide for 100-car parking lot, security lighting, gates and signs, interior building maintenance and repair, and a new furnace for the swimming pool—St. Edward.		

GF. ORA	Project Costs Through 6/30/83 297.000	Reappropriation Estimated Costs 7/1/85 and Thereafter	Appropriation 500,000 Estimated Total Costs 797.000
---------	---------------------------------------------------	-------------------------------------------------------------------	--------------------------------------------------------------------

## PART V

## DEPARTMENT OF FISHERIES

NEW SECTION, Sec. 501. FOR THE DEPARTMENT OF FISHERIES

The legislature recognizes that the local economies of many communities are heavily dependent on the timber and fishing industries of the state and that the current economic recession has created extraordinarily high rates of unemployment in these communities. Therefore, it is the intent of section 501 of this act to direct the director, department of fisheries, to undertake and implement projects, including the administrative costs thereof, which will create employment opportunities for those unemployed as a result of the depressed timber and fishing industries and which:

(1) Enhance the natural salmon stocks in those rivers and streams which determine the ocean salmon quota and which, therefore, control the harvest opportunities for commercial and recreational ocean salmon fisheries;

(2) Improve the streams and rivers of this state which are important to the success of the natural stocks of salmon;

(3) Enhance the maximum utilization of existing salmon stocks; and

(4) Develop mini-modular mobile hatchery complexes on rehabilitated rivers and streams.

The director shall submit quarterly reports, beginning October 1, 1983, to the chairmen of the ways and means committees of the house of representatives and the senate containing:

(a) The projects initiated;

(b) The projects completed;

(c) The unduplicated counts of unemployed persons gaining employment because of this program;

(d) Department FTE involved; and

(e) Administrative costs.

GF. Sal Enhmt Constr Acct	Project Costs Through 6/30/83 17,716.700	Reappropriation 5,000,000 Estimated Costs 7/1/85 and Thereafter	Appropriation Estimated Total Costs 22,716,700
---------------------------	------------------------------------------------------	--------------------------------------------------------------------------------	------------------------------------------------------------

NEW SECTION, Sec. 502. FOR THE DEPARTMENT OF FISHERIES

Pollution abatement and pond cleaning projects to ensure compliance with various water quality standards.

GF. Fish Cap Proj Acct	Project Costs Through 6/30/83 3,718.100	Reappropriation 280,800 Estimated Costs 7/1/85 and Thereafter	Appropriation Estimated Total Costs 3,998,900
------------------------	-----------------------------------------------------	------------------------------------------------------------------------------	-----------------------------------------------------------

NEW SECTION, Sec. 503. FOR THE DEPARTMENT OF FISHERIES

Handicapped access projects at various facilities.

GF. Fish Cap Proj Acct	Project Costs Through 6/30/83 681.100	Reappropriation 83,300 Estimated Costs 7/1/85 and Thereafter	Appropriation Estimated Total Costs 764,400
------------------------	---------------------------------------------------	-----------------------------------------------------------------------------	---------------------------------------------------------

NEW SECTION, Sec. 504. FOR THE DEPARTMENT OF FISHERIES

To provide necessary replacements and alterations to the various hatcheries to maintain current production.

GF. Fish Cap Proj Acct	Project Costs Through 6/30/83 1,913.300	Reappropriation 576,000 Estimated Costs 7/1/85 and Thereafter	Appropriation Estimated Total Costs 2,489,300
------------------------	-----------------------------------------------------	------------------------------------------------------------------------------	-----------------------------------------------------------

NEW SECTION, Sec. 505. FOR THE DEPARTMENT OF FISHERIES

To complete projects that will improve the operation and production efficiencies at various existing facilities.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	96,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,289,400		1,386,000

NEW SECTION, Sec. 506. FOR THE DEPARTMENT OF FISHERIES

To replace and increase the power of auxiliary generators at various hatcheries.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	180,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
300,200		480,200

NEW SECTION, Sec. 507. FOR THE DEPARTMENT OF FISHERIES

To riprap the banks and remove gravel deposits in Jordan Creek.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	410,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
30,000		440,000

NEW SECTION, Sec. 508. FOR THE DEPARTMENT OF FISHERIES

To replace auxiliary hatchery fuel tanks.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	72,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
72,400		144,400

NEW SECTION, Sec. 509. FOR THE DEPARTMENT OF FISHERIES

To replace Green River hatchery mud pumps and complete work in the channel of Soos Creek.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	4,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
87,200		91,200

NEW SECTION, Sec. 510. FOR THE DEPARTMENT OF FISHERIES

To construct holding and spawning separation facilities at the Skagit hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	310,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
30,800		340,800

NEW SECTION, Sec. 511. FOR THE DEPARTMENT OF FISHERIES

To construct a one-half acre adult salmon holding pond, including a fishway system from the Lewis River, and spawning and rearing pens.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	370,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
69,500		439,500

NEW SECTION, Sec. 512. FOR THE DEPARTMENT OF FISHERIES

To construct an incubation structure, drill wells, and install pipe to George Adams hatchery for chum fry.

	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	382,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
10,100		392,800

NEW SECTION. Sec. 513. FOR THE DEPARTMENT OF FISHERIES

To replace the existing vertical intake pickets with an inclined picket intake at the Sunset Falls fishway.

	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	35,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
98,400		133,400

NEW SECTION. Sec. 514. FOR THE DEPARTMENT OF FISHERIES

To riprap Soos Creek at the Green River hatchery.

	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	27,500	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
12,000		39,500

NEW SECTION. Sec. 515. FOR THE DEPARTMENT OF FISHERIES

To provide isolated storage building or approved cabinet facilities for the storage of flammable materials at the primary hatchery locations.

	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	33,800	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
22,400		56,200

NEW SECTION. Sec. 516. FOR THE DEPARTMENT OF FISHERIES

To revise the Skagit hatchery water intake system.

	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	161,900	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		161,900

NEW SECTION. Sec. 517. FOR THE DEPARTMENT OF FISHERIES

To replace a portion of the Hurd Creek ponds main water supply line.

	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	177,300	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,200		178,500

NEW SECTION. Sec. 518. FOR THE DEPARTMENT OF FISHERIES

To construct metal-pole storage buildings.

	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	37,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
414,100		451,100

NEW SECTION. Sec. 519. FOR THE DEPARTMENT OF FISHERIES

To drill a well and replace toilets at the Garrison hatchery.



	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	29,400	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
325,000		354,400

NEW SECTION. Sec. 520. FOR THE DEPARTMENT OF FISHERIES

To install incubators and improve the water supply at the Skykomish hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	43,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
363,200		406,200

NEW SECTION. Sec. 521. FOR THE DEPARTMENT OF FISHERIES

To construct weirs on streams for the enhancement of egg production.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	75,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
885,900		960,900

NEW SECTION. Sec. 522. FOR THE DEPARTMENT OF FISHERIES

To construct divider picket walls in the adult pond at the Soleduck hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	32,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
238,200		270,200

NEW SECTION. Sec. 523. FOR THE DEPARTMENT OF FISHERIES

To replace damaged or missing gabions at the Soleduck hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	45,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,100		47,100

NEW SECTION. Sec. 524. FOR THE DEPARTMENT OF FISHERIES

To purchase and install net pens at Squaxin Island.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	8,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
192,000		200,000

NEW SECTION. Sec. 525. FOR THE DEPARTMENT OF FISHERIES

To renovate and make improvements for health and safety code compliance.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	181,900	190,400
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,413,900	1,000,000	2,786,200

NEW SECTION. Sec. 526. FOR THE DEPARTMENT OF FISHERIES

Improvements to conserve energy.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		115,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

	6/30/83	Thereafter 200,000	315,000
<u>NEW SECTION, Sec. 527. FOR THE DEPARTMENT OF FISHERIES</u>			
To renovate two Nemah and one Issaquah hatchery residences.			
		Reappropriation	Appropriation 95,400
GF. Fish Cap Proj Acct			Estimated Total Costs
	Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	95,400
<u>NEW SECTION, Sec. 528. FOR THE DEPARTMENT OF FISHERIES</u>			
Renovations and improvements to the Skykomish settling ponds.			
		Reappropriation	Appropriation 110,800
GF. Fish Cap Proj Acct			Estimated Total Costs
	Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	110,800
<u>NEW SECTION, Sec. 529. FOR THE DEPARTMENT OF FISHERIES</u>			
Minor replacement and alteration projects to sustain and improve hatchery operations.			
		Reappropriation	Appropriation 193,000
GF. Fish Cap Proj Acct			Estimated Total Costs
	Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	193,000
<u>NEW SECTION, Sec. 530. FOR THE DEPARTMENT OF FISHERIES</u>			
To renovate and increase the Willapa fish food freezer and provide additional freezer capacity at Minter Creek.			
		Reappropriation	Appropriation 269,100
GF. Fish Cap Proj Acct			Estimated Total Costs
	Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	269,100
<u>NEW SECTION, Sec. 531. FOR THE DEPARTMENT OF FISHERIES</u>			
To renovate the growth pond at Point Whitney.			
		Reappropriation	Appropriation 84,300
GF. Fish Cap Proj Acct			Estimated Total Costs
	Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	84,300
<u>NEW SECTION, Sec. 532. FOR THE DEPARTMENT OF FISHERIES</u>			
To remodel the Montesano regional coastal field office.			
		Reappropriation	Appropriation 60,500
GF. Fish Cap Proj Acct			Estimated Total Costs
	Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	60,500
<u>NEW SECTION, Sec. 533. FOR THE DEPARTMENT OF FISHERIES</u>			
To supplement the Green River sand separator with a mechanical water filtration system.			
		Reappropriation	Appropriation 175,700
GF. Fish Cap Proj Acct			Estimated Total Costs
	Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	175,700
<u>NEW SECTION, Sec. 534. FOR THE DEPARTMENT OF FISHERIES</u>			
To install a mechanical water filter system at Puyallup.			

GF. Fish Cap Proj Acct		Reappropriation	Appropriation
Project			117,100
Costs	Estimated	Estimated	
Through	Costs	Total	
6/30/83	7/1/85 and	Costs	
	Thereafter		117,100

NEW SECTION, Sec. 535. FOR THE DEPARTMENT OF FISHERIES  
To renovate the Samish and Puyallup adult holding ponds.

GF. Fish Cap Proj Acct		Reappropriation	Appropriation
Project			513,600
Costs	Estimated	Estimated	
Through	Costs	Total	
6/30/83	7/1/85 and	Costs	
	Thereafter		513,600

NEW SECTION, Sec. 536. FOR THE DEPARTMENT OF FISHERIES  
To construct a concrete settling pond at Naselle.

GF. Fish Cap Proj Acct		Reappropriation	Appropriation
Project			75,000
Costs	Estimated	Estimated	
Through	Costs	Total	
6/30/83	7/1/85 and	Costs	
	Thereafter		75,000

NEW SECTION, Sec. 537. FOR THE DEPARTMENT OF FISHERIES  
To install intruder detection systems at four hatcheries.

GF. Fish Cap Proj Acct		Reappropriation	Appropriation
Project			120,000
Costs	Estimated	Estimated	
Through	Costs	Total	
6/30/83	7/1/85 and	Costs	
	Thereafter		120,000

NEW SECTION, Sec. 538. FOR THE DEPARTMENT OF FISHERIES  
To drill two wells, develop a water supply system, and replace the egg incubator trays at Minter Creek.

GF. Fish Cap Proj Acct		Reappropriation	Appropriation
Project			325,000
Costs	Estimated	Estimated	
Through	Costs	Total	
6/30/83	7/1/85 and	Costs	
	Thereafter		325,000

NEW SECTION, Sec. 539. FOR THE DEPARTMENT OF FISHERIES  
To construct a public fishing pier and reef on the Tacoma waterfront.

GF. ORA——State		Reappropriation	Appropriation
GF. ORA——Federal		375,000	
Project		375,000	
Costs	Estimated	Estimated	
Through	Costs	Total	
6/30/83	7/1/85 and	Costs	
127,000	Thereafter		877,000

NEW SECTION, Sec. 540. FOR THE DEPARTMENT OF FISHERIES  
To acquire and develop property on Oakland Bay.

GF. ORA——State		Reappropriation	Appropriation
GF. ORA——Federal		14,000	
Project		7,000	
Costs	Estimated	Estimated	
Through	Costs	Total	
6/30/83	7/1/85 and	Costs	
102,800	Thereafter		123,800

NEW SECTION, Sec. 541. FOR THE DEPARTMENT OF FISHERIES  
To construct pedestrian access walkways at Westport.

GF. ORA——State		Reappropriation	Appropriation
		84,000	

GF. ORA—Federal		84,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
40,000			208,000
<u>NEW SECTION, Sec. 542. FOR THE DEPARTMENT OF FISHERIES</u>			
To redevelop the Boston Harbor public boat launch.			
	Reappropriation		Appropriation
GF. ORA	50,000		
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
44,400			94,400
<u>NEW SECTION, Sec. 543. FOR THE DEPARTMENT OF FISHERIES</u>			
To construct a recreational fishing area at the east end of the Hood Canal bridge.			
	Reappropriation		Appropriation
GF. ORA	360,000		
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
20,000			380,000
<u>NEW SECTION, Sec. 544. FOR THE DEPARTMENT OF FISHERIES</u>			
To enhance the Frye Cove beach to create hardshell clam beds.			
	Reappropriation		Appropriation
GF. ORA	35,000		
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
10,500			45,500
<u>NEW SECTION, Sec. 545. FOR THE DEPARTMENT OF FISHERIES</u>			
To enhance the Bywater Bay beach to create hardshell clam beds.			
	Reappropriation		Appropriation
GF. ORA	20,000		
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
8,000			28,000
<u>NEW SECTION, Sec. 546. FOR THE DEPARTMENT OF FISHERIES</u>			
To redevelop the public boat access facility at Pillar Point.			
	Reappropriation		Appropriation
GF. ORA	159,000		
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
4,000			163,400
<u>NEW SECTION, Sec. 547. FOR THE DEPARTMENT OF FISHERIES</u>			
To construct shelters on the Elliott Bay fishing pier.			
	Reappropriation		Appropriation
GF. ORA—State	49,000		
GF. ORA—Federal	45,000		
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			94,000
<u>NEW SECTION, Sec. 548. FOR THE DEPARTMENT OF FISHERIES</u>			
To construct artificial reefs in Puget Sound and Hood Canal.			
	Reappropriation		Appropriation
GF. ORA—State	50,000		75,000
GF. ORA—Federal			75,000
Project	Estimated		Estimated
Costs	Costs		Total

Through 6/30/83 50,000	7/1/85 and Thereafter 200,000	Costs  450,000
------------------------------	-------------------------------------	----------------------

NEW SECTION, Sec. 549. FOR THE DEPARTMENT OF FISHERIES  
To partially renovate the Snow Creek public boat launch.

Reappropriation	Appropriation
	72,500
	72,500

GF, ORA—State  
GF, ORA—Federal

Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter 150,000	Estimated Total Costs  295,000
----------------------------------------	-----------------------------------------------------------	--------------------------------------------

PART VI  
DEPARTMENT OF GAME

NEW SECTION, Sec. 601. FOR THE DEPARTMENT OF GAME  
Relocate Seattle regional office.

Reappropriation	Appropriation
316,000	

Game Fund

Project Costs Through 6/30/83 1,044,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  1,360,000
-----------------------------------------------------	------------------------------------------------	----------------------------------------------

NEW SECTION, Sec. 602. FOR THE DEPARTMENT OF GAME  
Relocate engineering shop and storage facilities.

Reappropriation	Appropriation
719,700	

Game Fund

Project Costs Through 6/30/83 277,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  996,700
---------------------------------------------------	------------------------------------------------	--------------------------------------------

NEW SECTION, Sec. 603. FOR THE DEPARTMENT OF GAME  
Complete construction of public access—Wenas Lake, Yakima County.

Reappropriation	Appropriation
43,000	
27,000	

GF, ORA—State  
Game Fund

Project Costs Through 6/30/83 27,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  97,000
--------------------------------------------------	------------------------------------------------	-------------------------------------------

NEW SECTION, Sec. 604. FOR THE DEPARTMENT OF GAME  
Redevelop public access facilities—Snake River, Asotin County.

Reappropriation	Appropriation
125,000	

GF, ORA—State

Project Costs Through 6/30/83 17,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  142,000
--------------------------------------------------	------------------------------------------------	--------------------------------------------

NEW SECTION, Sec. 605. FOR THE DEPARTMENT OF GAME  
Provide a float for fishing and boating—Clear Lake, Thurston County.

Reappropriation	Appropriation
22,000	

GF, ORA—State

Project Costs Through 6/30/83 41,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  63,000
--------------------------------------------------	------------------------------------------------	-------------------------------------------

NEW SECTION, Sec. 606. FOR THE DEPARTMENT OF GAME  
Construct boating facilities, interpretive facilities, trails, and water control structure—  
Tennant Lake H.M.A., Whatcom County.

Reappropriation	Appropriation
186,000	

GF, ORA—State  
Project  
Costs

Estimated Costs	Estimated Total
--------------------	--------------------

Through 6/30/83 1,000	7/1/85 and Thereafter	Costs 187,000
<u>NEW SECTION, Sec. 607. FOR THE DEPARTMENT OF GAME</u>		
Rebuild fishing dock and provide parking and sanitary facilities—Mercer Island, King County.		
GF. ORA—State	Reappropriation 58,000	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through 6/30/83 1,000	7/1/85 and Thereafter	Costs 59,000
<u>NEW SECTION, Sec. 608. FOR THE DEPARTMENT OF GAME</u>		
Construct public access facilities—Klickitat River.		
GF. ORA—State	Reappropriation 64,000	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through 6/30/83 1,000	7/1/85 and Thereafter	Costs 65,000
<u>NEW SECTION, Sec. 609. FOR THE DEPARTMENT OF GAME</u>		
Construct public access facilities—Lake Washington, King County.		
GF. ORA—State	Reappropriation 33,000	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through 6/30/83 1,000	7/1/85 and Thereafter	Costs 34,000
<u>NEW SECTION, Sec. 610. FOR THE DEPARTMENT OF GAME</u>		
Repair three dikes—Skagit Wildlife Recreation Area.		
Game Fund—State	Reappropriation 299,300	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through 6/30/83 52,700	7/1/85 and Thereafter	Costs 352,000
<u>NEW SECTION, Sec. 611. FOR THE DEPARTMENT OF GAME</u>		
Redevelop and construct boat launching facilities at Fazon Lake and Badger Lake.		
GF. ORA—State	Reappropriation 106,200	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through 6/30/83 390,800	7/1/85 and Thereafter	Costs 497,000
<u>NEW SECTION, Sec. 612. FOR THE DEPARTMENT OF GAME</u>		
Construct new residence and upgrade domestic water supply—Ringold Rearing Pond.		
Game Fund—Federal	Reappropriation 33,500	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through 6/30/83 85,500	7/1/85 and Thereafter	Costs 119,000
<u>NEW SECTION, Sec. 613. FOR THE DEPARTMENT OF GAME</u>		
Repair or replace fish screens at lake outlets preventing out migration of planted trout.		
Game Fund—State	Reappropriation 33,500	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through 6/30/83 37,500	7/1/85 and Thereafter	Costs 71,000
<u>NEW SECTION, Sec. 614. FOR THE DEPARTMENT OF GAME</u>		

Complete acquisition of thirty-five acres in three parcels of cooperative project with Whatcom County, Tennant Lake Wildlife Recreation Area.

GF. ORA—State	Reappropriation	Appropriation
	153,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		153,000

NEW SECTION, Sec. 615. FOR THE DEPARTMENT OF GAME  
Emergency repairs and replacements.

Game Fund	Reappropriation	Appropriation
		200,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	400,000	600,000

NEW SECTION, Sec. 616. FOR THE DEPARTMENT OF GAME  
Facility maintenance and general repair.

Game Fund—State	Reappropriation	Appropriation
		316,000
Game Fund—Federal		35,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	1,000,000	1,351,000

NEW SECTION, Sec. 617. FOR THE DEPARTMENT OF GAME  
Preplanning and design for capital projects.

Game Fund	Reappropriation	Appropriation
		32,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
20,000	100,000	152,000

NEW SECTION, Sec. 618. FOR THE DEPARTMENT OF GAME  
Replace toilets at public access areas.

Game Fund	Reappropriation	Appropriation
		200,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
200,000	200,000	600,000

NEW SECTION, Sec. 619. FOR THE DEPARTMENT OF GAME  
Construct and maintain boundary and big game drift fences state-wide.

Game Fund—State	Reappropriation	Appropriation
		150,000
Game Fund—Federal		261,200
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	900,000	1,311,200

NEW SECTION, Sec. 620. FOR THE DEPARTMENT OF GAME

Construct concrete broodstock ponds, spawning building, roads, and fencing—South Tacoma hatchery.

Game Fund	Reappropriation	Appropriation
		120,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	180,000	300,000

NEW SECTION, Sec. 621. FOR THE DEPARTMENT OF GAME

Relocate or rebuild Bogachiel residence to avoid flooding—Clallam County.

		Reappropriation	Appropriation
Game Fund			68,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			68,000

NEW SECTION, Sec. 622. FOR THE DEPARTMENT OF GAME

Reconstruct water supply to Ringgold rearing ponds—Franklin County.

		Reappropriation	Appropriation
Game Fund—Federal			70,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
		100,000	170,000

NEW SECTION, Sec. 623. FOR THE DEPARTMENT OF GAME

Acquire property to replace lost habitat—Snake River and tributaries, several sites.

		Reappropriation	Appropriation
Game Fund—Federal			11,223,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			11,223,000

NEW SECTION, Sec. 624. FOR THE DEPARTMENT OF GAME

Acquire approximately 491 acres near the Yakima River. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

		Reappropriation	Appropriation
Game Fund			618,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			618,000

NEW SECTION, Sec. 625. FOR THE DEPARTMENT OF GAME

Acquire approximately 2.8 acres along Skokomish River for a public fishing site. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

		Reappropriation	Appropriation
Game Fund			9,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			9,000

NEW SECTION, Sec. 626. FOR THE DEPARTMENT OF GAME

Acquire Hedl property, approximately 1,500 acres, Asotin County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

		Reappropriation	Appropriation
Game fund			300,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			300,000

NEW SECTION, Sec. 627. FOR THE DEPARTMENT OF GAME

Acquire approximately 578 acres along the Okanogan River. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

		Reappropriation	Appropriation
Game Fund			350,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			350,000

NEW SECTION, Sec. 628. FOR THE DEPARTMENT OF GAME



Acquire approximately 250 acres, Pipestone Canyon—Okanogan County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

Game Fund		Reappropriation	Appropriation 132,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			132,000

NEW SECTION, Sec. 629. FOR THE DEPARTMENT OF GAME

Acquire approximately 2,000 acres for big game winter range—Yakima County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

Game Fund		Reappropriation	Appropriation 132,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			132,000

NEW SECTION, Sec. 630. FOR THE DEPARTMENT OF GAME

Acquire approximately 41.4 acres for Band-tailed Pigeon site—Skagit County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

Game Fund		Reappropriation	Appropriation 98,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			98,000

NEW SECTION, Sec. 631. FOR THE DEPARTMENT OF GAME

Acquire approximately 500 acres of water towl habitat—Snohomish and Island Counties. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

Game Fund		Reappropriation	Appropriation 435,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			435,000

NEW SECTION, Sec. 632. FOR THE DEPARTMENT OF GAME

Acquire approximately 500 acres for public use—Chehalis Valley, Grays Harbor County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

Game Fund		Reappropriation	Appropriation 500,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			500,000

NEW SECTION, Sec. 633. FOR THE DEPARTMENT OF GAME

Acquire access to stream bank—Mitigation for Wells dam, Okanogan County.

Game Fund—Game Special Wildlife Account		Reappropriation	Appropriation 62,900
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			62,900

NEW SECTION, Sec. 634. FOR THE DEPARTMENT OF GAME

I-82 land acquisition in Yakima County—Phase II.

GF, ORA—State		Reappropriation	Appropriation 106,000
---------------	--	-----------------	--------------------------

GF. ORA—Federal		106,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
138,000		350,000
<u>NEW SECTION, Sec. 635. FOR THE DEPARTMENT OF GAME</u>		
Construct public access facilities—I-82, Yakima County.		
	Reappropriation	Appropriation
GF. ORA—State		206,500
GF. ORA—Federal		206,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		413,000
<u>NEW SECTION, Sec. 636. FOR THE DEPARTMENT OF GAME</u>		
Acquire five acres on Mineral Lake for public access—Lewis County.		
	Reappropriation	Appropriation
GF. ORA—State		32,500
GF. ORA—Federal		32,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		65,000
<u>NEW SECTION, Sec. 637. FOR THE DEPARTMENT OF GAME</u>		
Acquire public access—Cottage Lake, King County.		
	Reappropriation	Appropriation
GF. ORA—State		34,000
GF. ORA—Federal		34,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		68,000
<u>NEW SECTION, Sec. 638. FOR THE DEPARTMENT OF GAME</u>		
Construct public access facilities—Kress Lake, Cowlitz County.		
	Reappropriation	Appropriation
GF. ORA—State		20,900
GF. ORA—Federal		20,900
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		41,800
<u>NEW SECTION, Sec. 639. FOR THE DEPARTMENT OF GAME</u>		
Redevelop access areas—Aeneas Valley, Okanogan County.		
	Reappropriation	Appropriation
GF. ORA—State		53,100
GF. ORA—Federal		53,100
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		106,200
<u>NEW SECTION, Sec. 640. FOR THE DEPARTMENT OF GAME</u>		
Redevelop access areas—Amber Lake, Spokane County.		
	Reappropriation	Appropriation
GF. ORA—State		42,000
GF. ORA—Federal		42,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		84,000
<u>NEW SECTION, Sec. 641. FOR THE DEPARTMENT OF GAME</u>		
Acquire access to department property on Fern Lake—Kitsap County.		

		Reappropriation	Appropriation
GF. ORA—State			23,500
GF. ORA—Federal			23,500
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			47,000

NEW SECTION, Sec. 642. FOR THE DEPARTMENT OF GAME

Construct facilities on Big and Little Green Lakes—Okanogan County.

		Reappropriation	Appropriation
GF. ORA—State			46,600
GF. ORA—Federal			46,600
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			93,200

NEW SECTION, Sec. 643. FOR THE DEPARTMENT OF GAME

Construct public access—Stillaguamish River, Snohomish County.

		Reappropriation	Appropriation
GF. ORA—State			33,500
GF. ORA—Federal			33,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			67,000

NEW SECTION, Sec. 644. FOR THE DEPARTMENT OF GAME

Redevelop public access—Diamond Lake, Pend Oreille County.

		Reappropriation	Appropriation
GF. ORA—State			26,700
GF. ORA—Federal			26,700
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			53,400

NEW SECTION, Sec. 645. FOR THE DEPARTMENT OF GAME

Construct public access—Munn Lake, Thurston County.

		Reappropriation	Appropriation
GF. ORA—State			24,000
GF. ORA—Federal			24,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			48,000

NEW SECTION, Sec. 646. FOR THE DEPARTMENT OF GAME

Redevelop public access—Jamison Lake, Douglas County.

		Reappropriation	Appropriation
GF. ORA—State			141,200
GF. ORA—Federal			141,200
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			282,400

NEW SECTION, Sec. 647. FOR THE DEPARTMENT OF GAME

Construct public access facilities—Fan Lake, Pend Oreille County.

		Reappropriation	Appropriation
GF. ORA—State			20,900
Game Fund			20,900
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			41,800

PART VII  
DEPARTMENT OF NATURAL RESOURCES

NEW SECTION, Sec. 701. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct and improve the Cedar Creek and Sherman Valley roads.

	Reappropriation	Appropriation
General Fund—ORV Account	80,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
395,000		475,000

NEW SECTION, Sec. 702. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct and improve campsites, roads, trails, and other recreation projects.

	Reappropriation	Appropriation
GF. ORV	374,700	
GF. ORA—State	234,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
5,261,700		5,871,000

NEW SECTION, Sec. 703. FOR THE DEPARTMENT OF NATURAL RESOURCES

Prepare sites for commercial lease—State-wide.

	Reappropriation	Appropriation
GF. Res Mgmt Cost Acct	1,364,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,141,300		3,506,000

NEW SECTION, Sec. 704. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct and improve campsites, roads and trails—State-wide.

	Reappropriation	Appropriation
General Fund—ORV Account	101,300	
GF. ORA	143,900	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		245,200

NEW SECTION, Sec. 705. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct and improve roads and bridges.

	Reappropriation	Appropriation
GF. Res Mgmt Cost Acct	205,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
724,000		929,000

NEW SECTION, Sec. 706. FOR THE DEPARTMENT OF NATURAL RESOURCES

Prepare lands for income-producing agricultural leases by developing irrigation facilities.

	Reappropriation	Appropriation
GF. Res Mgmt Cost Acct	1,781,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
3,117,700		4,899,400

NEW SECTION, Sec. 707. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct road access system to a large block of state-owned timber lands—Cavanaugh Block.

	Reappropriation	Appropriation
GF. For Dev Acct	380,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
95,000		475,000

NEW SECTION. Sec. 708. FOR THE DEPARTMENT OF NATURAL RESOURCES  
Construct bridge and access road to state timber lands—McDonald Mainline.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct	40,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
100,000		140,000

NEW SECTION. Sec. 709. FOR THE DEPARTMENT OF NATURAL RESOURCES  
Increase seedling quality and production, Forest Nursery.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct	90,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
220,000		310,000

NEW SECTION. Sec. 710. FOR THE DEPARTMENT OF NATURAL RESOURCES  
Replace a forty-five year-old condemned bridge—Snohomish County.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		561,100
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		561,100

NEW SECTION. Sec. 711. FOR THE DEPARTMENT OF NATURAL RESOURCES  
Acquire rights of way for land management.

	Reappropriation	Appropriation
GF, For Dev Acct		532,000
GF, Res Mgmt Cost Acct		798,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,986,000	4,900,000	8,216,000

NEW SECTION. Sec. 712. FOR THE DEPARTMENT OF NATURAL RESOURCES  
Purchase land for resource management, Natural Resources Land Bank.

	Reappropriation	Appropriation
GF, For Dev Acct		3,000,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
3,000,000	3,000,000	9,000,000

NEW SECTION. Sec. 713. FOR THE DEPARTMENT OF NATURAL RESOURCES  
Construct and improve roads and bridges—State-wide.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		319,400
GF, For Dev Acct		9,400
General Fund—ORV Account		424,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		753,500

NEW SECTION. Sec. 714. FOR THE DEPARTMENT OF NATURAL RESOURCES  
Develop a rock pit to produce gravel for roadbeds, Tiger Mountain rock pit—King

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		114,700
GF, For Dev Acct		114,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		229,400

NEW SECTION, Sec. 715. FOR THE DEPARTMENT OF NATURAL RESOURCES

Prepare site for commercial lease by developing water, sewer, streets, and drainage—  
Bucklin Hill—Silverdale—Kitsap County.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		642,600
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
17,000		659,600

NEW SECTION, Sec. 716. FOR THE DEPARTMENT OF NATURAL RESOURCES

Prepare land for exchange—Kennewick 16 U.L.I.D.—Benton County.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		150,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
186,600		336,600

NEW SECTION, Sec. 717. FOR THE DEPARTMENT OF NATURAL RESOURCES

Prepare land for planned unit development and develop a sewer system—Illahee  
U.L.I.D.—Kitsap County.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		281,800
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
17,000		298,800

NEW SECTION, Sec. 718. FOR THE DEPARTMENT OF NATURAL RESOURCES

Improve lands for commercial development, construction of frontage roads—Kennewick  
16—Benton County.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct	233,200	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		233,200

NEW SECTION, Sec. 719. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct and improve campsites, roads, parking, trails, and other recreation projects—  
State-wide.

	Reappropriation	Appropriation
General Fund—ORV Account		468,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		468,000

NEW SECTION, Sec. 720. FOR THE DEPARTMENT OF NATURAL RESOURCES

Remove derelict structures, replace heating systems, and dredge dock areas—State-  
wide.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		89,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		89,500

NEW SECTION, Sec. 721. FOR THE DEPARTMENT OF NATURAL RESOURCES

Provide culvert and other materials for honor camp road maintenance—State-wide.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		187,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		187,000

NEW SECTION, Sec. 722. FOR THE DEPARTMENT OF NATURAL RESOURCES

Acquisition of Milwaukee Railroad right of way, and a study of the potential use of this property.

GF, ORA		Reappropriation 250,000	Appropriation
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			250,000

NEW SECTION, Sec. 723. FOR THE DEPARTMENT OF NATURAL RESOURCES

Miscellaneous building projects—State-wide.

GF, For Dev Acct		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct			93,700
	Project	Estimated	206,000
	Costs	Costs	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
		74,900	374,600

NEW SECTION, Sec. 724. FOR THE DEPARTMENT OF NATURAL RESOURCES

Fuel facility projects—State-wide.

GF, For Dev Acct		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct			49,400
	Project	Estimated	108,800
	Costs	Costs	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
		68,800	227,000

NEW SECTION, Sec. 725. FOR THE DEPARTMENT OF NATURAL RESOURCES

Nursery projects.

GF, For Dev Acct		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct			83,000
	Project	Estimated	193,600
	Costs	Costs	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
		415,000	691,600

NEW SECTION, Sec. 726. FOR THE DEPARTMENT OF NATURAL RESOURCES

Prepare land for commercial lease—Water, sewer, streets, and utilities—Pasco 16 Phase I U.L.I.D.—Franklin County.

GF, Res Mgmt Cost Acct		Reappropriation	Appropriation
	Project	Estimated	200,000
	Costs	Costs	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
	50,000	811,200	1,061,200

NEW SECTION, Sec. 727. FOR THE DEPARTMENT OF NATURAL RESOURCES

Provide irrigation for development of state land, install pumps and mainlines—State-wide.

GF, Res Mgmt Cost Acct		Reappropriation	Appropriation
	Project	Estimated	1,891,900
	Costs	Costs	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
		157,900	2,049,800

PART VIII  
EDUCATION

NEW SECTION, Sec. 801. FOR THE UNIVERSITY OF WASHINGTON

To renovate and remodel E and F wings, complete E court, and provide fire safety improvements for the health sciences building.

GF, H Ed Constr Acct		Reappropriation	Appropriation
	Project	200,000	Estimated
		Estimated	

Costs Through 6/30/83	Costs 7/1/85 and Thereafter	Total Costs
3,742,000		3,942,000
<u>NEW SECTION, Sec. 802. FOR THE UNIVERSITY OF WASHINGTON</u>		
To construct and equip and/or purchase an existing facility for a consolidated hospital laundry facility.		
	Reappropriation	Appropriation
GF, H Ed Constr Acct	4,190,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
483,000		4,673,000
<u>NEW SECTION, Sec. 803. FOR THE UNIVERSITY OF WASHINGTON</u>		
To acquire land, construct and equip a hospital general services facility.		
	Reappropriation	Appropriation
GF, H Ed Constr Acct	278,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,340,000		1,618,000
<u>NEW SECTION, Sec. 804. FOR THE UNIVERSITY OF WASHINGTON</u>		
To construct and equip a building to house the institute of marine sciences.		
	Reappropriation	Appropriation
GF, H Ed Constr Acct	300,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
4,577,000		4,877,000
<u>NEW SECTION, Sec. 805. FOR THE UNIVERSITY OF WASHINGTON</u>		
To provide for the expansion, renovation and equipping of the University hospital.		
	Reappropriation	Appropriation
GF, H Ed Constr Acct	38,025,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
7,200,000		45,225,000
<u>NEW SECTION, Sec. 806. FOR THE UNIVERSITY OF WASHINGTON</u>		
To bring BB tower Health Sciences, RR wing Health Sciences, Atmospheric Sciences, Condon, Padelford and Harborview Halls into compliance with the Seattle high-rise fire safety code requirements.		
	Reappropriation	Appropriation
GF, UW Bldg Acct		1,350,000
GF, St H Ed Constr Acct		1,400,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		2,750,000
<u>NEW SECTION, Sec. 807. FOR THE UNIVERSITY OF WASHINGTON</u>		
To construct a hazardous waste handling facility on the J wing loading dock of the Health Sciences Building.		
	Reappropriation	Appropriation
GF, H Ed Constr Acct		484,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		484,000
<u>NEW SECTION, Sec. 808. FOR THE UNIVERSITY OF WASHINGTON</u>		
To extend the emergency electrical power system to the west campus.		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		355,000
Project	Estimated	Estimated



Costs Through 6/30/83	Costs 7/1/85 and Thereafter	Total Costs
<u>NEW SECTION. Sec. 809. FOR THE UNIVERSITY OF WASHINGTON</u>		355,000
To provide general repairs and improvements for safety and ventilation.		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		500,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		500,000
<u>NEW SECTION. Sec. 810. FOR THE UNIVERSITY OF WASHINGTON</u>		
To provide for minor repairs and improvements and real estate contract payments.		
	Reappropriation	Appropriation
GF, UW Bldg Acct		553,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	12,637,000	13,190,000
<u>NEW SECTION. Sec. 811. FOR THE UNIVERSITY OF WASHINGTON</u>		
To replace instructional and support equipment and the purchase of high technology equipment.		
	Reappropriation	Appropriation
GF, UW Bldg Acct		3,660,000
GF, H Ed Constr Acct		309,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		3,969,000
<u>NEW SECTION. Sec. 812. FOR THE UNIVERSITY OF WASHINGTON</u>		
Various projects to improve energy conservation and reduce operating costs.		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		150,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	3,180,000	3,330,000
<u>NEW SECTION. Sec. 813. FOR THE UNIVERSITY OF WASHINGTON</u>		
To fund additional working drawings, renovation and construction for the ceramic engineering program at Roberts Hall.		
	Reappropriation	Appropriation
GF, H Ed Constr Acct		4,000,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	6,050,000	10,050,000
<u>NEW SECTION. Sec. 814. FOR THE UNIVERSITY OF WASHINGTON</u>		
To fund work on the power plant.		
	Reappropriation	Appropriation
GF, H Ed Constr Acct		190,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		190,000
<u>NEW SECTION. Sec. 815. FOR WASHINGTON STATE UNIVERSITY</u>		
To complete the construction of an animal holding facility for the College of Veterinary Medicine.		
	Reappropriation	Appropriation
GF, H Ed Constr Acct		681,000
Project	Estimated	Estimated
Costs	Costs	Total

	Through 6/30/83 1,337,000	7/1/85 and Thereafter	Costs  2,018,000
<b>NEW SECTION. Sec. 816. FOR WASHINGTON STATE UNIVERSITY</b>			
To complete omnibus minor capital improvement projects.			
		Reappropriation 2,580,000	Appropriation
GF, WSU Bldg Acct	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	3,159,000		5,739,000
<b>NEW SECTION. Sec. 817. FOR WASHINGTON STATE UNIVERSITY</b>			
To complete Phase II of the Fulmer Hall renovation for the chemistry department.			
		Reappropriation 578,000	Appropriation
GF, H Ed Constr Acct	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	1,804,000		2,382,000
<b>NEW SECTION. Sec. 818. FOR WASHINGTON STATE UNIVERSITY</b>			
To complete the design, renovation, and equipping of College Hall for the Anthropology Department.			
		Reappropriation 2,362,000	Appropriation
GF, H Ed Constr Acct	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	1,567,000		3,929,000
<b>NEW SECTION. Sec. 819. FOR WASHINGTON STATE UNIVERSITY</b>			
To complete the planning, construction, and equipping of the joint treatment plant with the City of Pullman.			
		Reappropriation 807,000	Appropriation
GF, WSU Bldg Acct	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	30,000		837,000
<b>NEW SECTION. Sec. 820. FOR WASHINGTON STATE UNIVERSITY</b>			
To complete the design, renovation, and equipping of Science Hall.			
		Reappropriation 3,899,000	Appropriation
GF, H Ed Constr Acct	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	338,000		4,237,000
<b>NEW SECTION. Sec. 821. FOR WASHINGTON STATE UNIVERSITY</b>			
To design, construct, and equip a new facility for the department of electrical engineering and a portion of the department of mechanical engineering.			
		Reappropriation 13,776,000	Appropriation
GF, WSU Bldg Acct	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	100,000		13,876,000
<b>NEW SECTION. Sec. 822. FOR WASHINGTON STATE UNIVERSITY</b>			
To design a new facility for the department of chemistry, the energy institute, and the biological chemistry institute.			
		Reappropriation	Appropriation
GF, WSU Bldg Acct			1,061,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
		Thereafter	

6/30/83	Thereafter	
	19,138,000	20,199,000
<u>NEW SECTION, Sec. 823. FOR WASHINGTON STATE UNIVERSITY</u>		
To provide for minor alterations, renovations, and improvements.		
	Reappropriation	Appropriation
GF, WSU Bldg Acct		3,308,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	13,346,000	16,654,000

NEW SECTION, Sec. 824. FOR WASHINGTON STATE UNIVERSITY  
 To renovate Fulmer Hall Phase III including expansion and replacement of major portions of the service and utility systems.

	Reappropriation	Appropriation
GF, WSU Bldg Acct		1,856,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
5,000	2,705,000	4,566,000

NEW SECTION, Sec. 825. FOR WASHINGTON STATE UNIVERSITY  
 To design the remodeling of McCoy Hall for the department of veterinary clinical medicine and surgery. The appropriation is contingent upon the receipt of \$1,448,000 in federal funds.

	Reappropriation	Appropriation
GF, WSU Bldg Acct		160,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		160,000

NEW SECTION, Sec. 826. FOR EASTERN WASHINGTON UNIVERSITY  
 The funds provided in sections 827 through 834 are subject to the following conditions and limitations:

(1) Not more than \$389,000 of the amount provided in section 828 may be used solely for payment on the lease of the Spokane facility and in that event only with the prior approval of the director, office of financial management.

(2) No other funds may be used for any other purpose or purposes at or on such Spokane facility without the prior and specific approval of the director, office of financial management.

<u>NEW SECTION, Sec. 827. FOR EASTERN WASHINGTON UNIVERSITY</u>		
Minor capital improvements and energy conservation projects—Omnibus.		
	Reappropriation	Appropriation
GF, EWU Cap Proj Acct	260,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,065,000		1,325,000

NEW SECTION, Sec. 828. FOR EASTERN WASHINGTON UNIVERSITY  
 Provide for minor capital improvements and a one-year lease for the Spokane Center: PROVIDED, That not more than \$389,000 may be expended in connection with the Spokane Center and said amount solely for payment of a one-year lease.

	Reappropriation	Appropriation
GF, EWU Cap Proj Acct		1,766,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	6,559,200	8,325,200

NEW SECTION, Sec. 829. FOR EASTERN WASHINGTON UNIVERSITY  
 Complete the design, renovation, and equipping of the manual arts building and Sutton Hall.

	Reappropriation	Appropriation
GF, H Ed Constr Acct	4,781,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

	6/30/83	Thereafter	
	450,000		5,231,000
<u>NEW SECTION. Sec. 830. FOR EASTERN WASHINGTON UNIVERSITY</u>			
Continue work on Martin Hall.			
		Reappropriation	Appropriation
GF, EWU Cap Proj Acct		70,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			70,000
<u>NEW SECTION. Sec. 831. FOR EASTERN WASHINGTON UNIVERSITY</u>			
Provide planning and design funds through working drawings for the remodeling of and addition to the science building.			
		Reappropriation	Appropriation
GF, EWU Cap Proj Acct			400,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	8,134,200		8,534,200
<u>NEW SECTION. Sec. 832. FOR EASTERN WASHINGTON UNIVERSITY</u>			
To replace instructional and support equipment.			
		Reappropriation	Appropriation
GF, EWU Cap Proj Acct		125,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	275,000		400,000
<u>NEW SECTION. Sec. 833. FOR EASTERN WASHINGTON UNIVERSITY</u>			
Handicap access.			
		Reappropriation	Appropriation
GF, EWU Cap Proj Acct		50,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			50,000
<u>NEW SECTION. Sec. 834. FOR EASTERN WASHINGTON UNIVERSITY</u>			
To complete the construction of HPERA fieldhouse.			
		Reappropriation	Appropriation
GF, St H Ed Constr Acct		25,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	2,432,000		2,457,000
<u>NEW SECTION. Sec. 835. FOR CENTRAL WASHINGTON UNIVERSITY</u>			
Complete the modifications of existing campus buildings to comply with handicapped access standards.			
		Reappropriation	Appropriation
GF, St H Ed Constr Acct		140,350	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	446,000		586,350
<u>NEW SECTION. Sec. 836. FOR CENTRAL WASHINGTON UNIVERSITY</u>			
Complete the removal of asbestos from places of public occupancy.			
		Reappropriation	Appropriation
GF, CWU Cap Proj Acct		86,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	140,000		226,000
<u>NEW SECTION. Sec. 837. FOR CENTRAL WASHINGTON UNIVERSITY</u>			

Provide computer equipment and systems.

	Reappropriation	Appropriation
GF. CWU Cap Proj Acct	27,900	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
671,266		699,166

NEW SECTION, Sec. 838. FOR CENTRAL WASHINGTON UNIVERSITY

Provide for utilities improvements.

	Reappropriation	Appropriation
GF. CWU Cap Proj Acct	198,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
692,426		890,426

NEW SECTION, Sec. 839. FOR CENTRAL WASHINGTON UNIVERSITY

Provide for minor capital improvements and land acquisition to upgrade university buildings and facilities.

	Reappropriation	Appropriation
GF. CWU Cap Proj Acct	235,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,430,000		2,665,000

NEW SECTION, Sec. 840. FOR CENTRAL WASHINGTON UNIVERSITY

Complete renovation and remodeling, including the addition of a multiform theatre and associated components and the remodeling of Wildcat Shop for computer services.

	Reappropriation	Appropriation
GF. H Ed Constr Acct	22,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
3,474,000		3,496,000

NEW SECTION, Sec. 841. FOR CENTRAL WASHINGTON UNIVERSITY

Provide for minor capital improvements.

	Reappropriation	Appropriation
GF. CWU Cap Proj Acct	354,200	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
552,800		907,000

NEW SECTION, Sec. 842. FOR CENTRAL WASHINGTON UNIVERSITY

Complete the improvement, extension, and modification of the underground utilities and services.

	Reappropriation	Appropriation
GF. CWU Cap Proj Acct	240,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
30,000		270,000

NEW SECTION, Sec. 843. FOR CENTRAL WASHINGTON UNIVERSITY

Complete the installation of energy economizers, monitoring equipment, fuel atomizers, and insulation.

	Reappropriation	Appropriation
GF. CWU Cap Proj Acct	310,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
225,000		535,000

NEW SECTION, Sec. 844. FOR CENTRAL WASHINGTON UNIVERSITY

Complete the expansion of the control system throughout the campus to achieve energy savings.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project	866,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
234,000	Thereafter	
		1,100,000

NEW SECTION, Sec. 845. FOR CENTRAL WASHINGTON UNIVERSITY  
Improve campus utilities.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project	233,900	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		233,900

NEW SECTION, Sec. 846. FOR CENTRAL WASHINGTON UNIVERSITY  
Omnibus projects to renovate and remodel campus facilities.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project	317,125	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
17,475	Thereafter	
		334,600

NEW SECTION, Sec. 847. FOR CENTRAL WASHINGTON UNIVERSITY  
Restore and remodel Barge Hall for student services and administration.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project	4,528	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
525,472	Thereafter	
	5,708,200	6,238,200

NEW SECTION, Sec. 848. FOR CENTRAL WASHINGTON UNIVERSITY  
Upgrade the existing computer hardware.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project		475,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		475,000

NEW SECTION, Sec. 849. FOR CENTRAL WASHINGTON UNIVERSITY  
Provide for additional staff space—Computer center.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project		182,800
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		182,800

NEW SECTION, Sec. 850. FOR CENTRAL WASHINGTON UNIVERSITY  
Provide for the physical improvement of buildings and facilities—Omnibus.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project		1,509,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
	1,776,500	3,285,500

NEW SECTION, Sec. 851. FOR CENTRAL WASHINGTON UNIVERSITY  
Replace the roofing membrane on Bouillon Hall.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project		515,000
	Estimated	Estimated

Costs Through 6/30/83	Costs 7/1/85 and Thereafter	Total Costs
<u>NEW SECTION. Sec. 852. FOR THE EVERGREEN STATE COLLEGE</u> Modifications to bring buildings into code compliance.		515,000
Reappropriation		Appropriation
GF, TESC Cap Proj Acct		152,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	35,700	187,700
<u>NEW SECTION. Sec. 853. FOR THE EVERGREEN STATE COLLEGE</u> Roof repairs to three buildings.		
Reappropriation		Appropriation
GF, St H Ed Constr Acct		381,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	16,000	397,000
<u>NEW SECTION. Sec. 854. FOR THE EVERGREEN STATE COLLEGE</u> Minor capital projects—Omnibus.		
Reappropriation		Appropriation
GF, TESC Cap Proj Acct		50,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	685,200	735,200
<u>NEW SECTION. Sec. 855. FOR THE EVERGREEN STATE COLLEGE</u> Instructional equipment replacement.		
Reappropriation		Appropriation
GF, TESC Cap Proj Acct		120,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	205,000	325,000
<u>NEW SECTION. Sec. 856. FOR THE EVERGREEN STATE COLLEGE</u> Modifications and improvements to buildings to reduce energy consumption.		
Reappropriation		Appropriation
GF, TESC Cap Proj Acct		117,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	330,300	447,300
<u>NEW SECTION. Sec. 857. FOR WESTERN WASHINGTON UNIVERSITY</u> Minor capital improvements—Omnibus.		
Reappropriation		Appropriation
GF, WWU Cap Proj Acct		950,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	6,202,000	9,458,000
<u>NEW SECTION. Sec. 858. FOR WESTERN WASHINGTON UNIVERSITY</u> For the South Academic Building.		
Reappropriation		Appropriation
GF, WWU Cap Proj Acct		150,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	5,981,000	6,131,000
<u>NEW SECTION. Sec. 859. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		

SCCC Main parking facility.

	Reappropriation	Appropriation
GF. St H Ed Constr Acct	332,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		332,000

NEW SECTION. Sec. 860. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriation for section 504 handicapped access building modifications.

	Reappropriation	Appropriation
GF. St H Ed Constr Acct	151,998	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
726,976		878,974

NEW SECTION. Sec. 861. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriation for emergency repairs at various campuses.

	Reappropriation	Appropriation
GF. St H Ed Constr Acct	563,100	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,690,000		2,253,100

NEW SECTION. Sec. 862. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriation for nondeferrable repair projects at various campuses.

	Reappropriation	Appropriation
GF. St H Ed Constr Acct	196,859	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,744,000		2,940,859

NEW SECTION. Sec. 863. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Nondeferrable projects

	Reappropriation	Appropriation
GF. St H Ed Constr Acct	107,521	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,866,479		2,974,000

NEW SECTION. Sec. 864. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriation to modify facilities for code compliance at various campuses.

	Reappropriation	Appropriation
GF. St H Ed Constr Acct	43,876	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
409,000		452,876

NEW SECTION. Sec. 865. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriations for minor repair and improvement projects at twenty campuses.

	Reappropriation	Appropriation
GF. St H Ed Constr Acct	62,982	
GF. Com Col Cap Constr Acct	630,408	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,854,426		2,547,816

NEW SECTION. Sec. 866. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriation for vocational facility at Lower Columbia college.

	Reappropriation	Appropriation
GF. St H Ed Constr Acct	235,000	
Project	Estimated	Estimated



Costs Through 6/30/83 258,000	Costs 7/1/85 and Thereafter	Total Costs  493,000
----------------------------------------	-----------------------------------	-------------------------------

NEW SECTION. Sec. 867. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriations for projects approved in prior biennia.

GF, Com Col Cap Impvmt Acct	Reappropriation	Appropriation
GF, Com Col Cap Proj Acct	38,144	
GF, Com Col Cap Constr Acct	81,566	
Project	185,984	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
6,490,969	Thereafter	6,796,663

NEW SECTION. Sec. 868. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriation for two minor improvement projects at two campuses.

GF, Com Col Cap Impvmt Acct	Reappropriation	Appropriation
Project	107,405	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
59,000	Thereafter	166,405

NEW SECTION. Sec. 869. FOR THE STATE BOARD FOR COMMUNITY COLLEGES  
Code requirement repairs at Bellevue and Centralia Community College.

GF, H Ed Constr Acct	Reappropriation	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	57,000
		57,000

NEW SECTION. Sec. 870. FOR THE STATE BOARD FOR COMMUNITY COLLEGES  
Heat system repairs at Clark College.

GF, H Ed Constr Acct	Reappropriation	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	396,000
		396,000

NEW SECTION. Sec. 871. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriation for minor repair and improvement projects at four campuses.

GF, Com Col Cap Constr Acct	Reappropriation	Appropriation
Project	21,439	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
41,000	Thereafter	62,439

NEW SECTION. Sec. 872. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriation for remodeling and minor improvement funds allocated to the districts.

GF, Com Col Cap Constr Acct	Reappropriation	Appropriation
Project	689,002	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
1,500,000	Thereafter	2,189,002

NEW SECTION. Sec. 873. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriation of emergency funds allocated by the state board for community college education.

GF, Com Col Cap Constr Acct	Reappropriation	Appropriation
Project	79,627	
Costs	Estimated	Estimated
Through	Costs	Total
	7/1/85 and	Costs

	6/30/83 400,000	Thereafter	479,627
<u>NEW SECTION, Sec. 874. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Reappropriation for minor improvements at various campuses.			
		Reappropriation	Appropriation
GF. Com Col Cap Constr Acct		443,141	
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	836,000		1,279,141
<u>NEW SECTION, Sec. 875. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Reappropriation for six minor improvement projects at five campuses.			
		Reappropriation	Appropriation
GF. Com Col Cap Constr Acct		141,503	
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	512,497		654,000
<u>NEW SECTION, Sec. 876. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
To provide for minor capital improvements to correct facility deficiencies and improve utilization, to be allocated to each district by the state board for community college education.			
		Reappropriation	Appropriation
GF. St H Ed Constr Acct			2,900,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			2,900,000
<u>NEW SECTION, Sec. 877. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
To provide for unforeseen emergency capital repairs, to be administered by the state board for community college education.			
		Reappropriation	Appropriation
GF. St H Ed Constr Acct			500,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			500,000
<u>NEW SECTION, Sec. 878. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
To provide for repair or replacement of roofs at Lower Columbia, Olympic, Skagit Valley, Everett, Seattle Central, Spokane, Clark, Edmonds, Grays Harbor, and Wenatchee Valley Colleges.			
		Reappropriation	Appropriation
GF. St H Ed Constr Acct			2,050,600
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			2,050,600
<u>NEW SECTION, Sec. 879. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
To provide funding for repair or replacement of electrical system components at Everett, Lower Columbia, Skagit Valley, Wenatchee, and the Whidbey branch of Skagit Valley Colleges.			
		Reappropriation	Appropriation
GF. St H Ed Constr Acct			707,500
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			707,500
<u>NEW SECTION, Sec. 880. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
To provide for repair of buildings, mechanical systems, and fixed equipment at Fort Steilacoom, Columbia Basin, Olympic, Everett, and the Whidbey branch of Skagit Valley Colleges.			
		Reappropriation	Appropriation
GF. St H Ed Constr Acct			734,600

Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	

734,600

NEW SECTION. Sec. 881. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
For repair or replacement of elements for heating/ventilating/air-conditioning systems at  
Fort Steilacoom, Lower Columbia, South Seattle, Wenatchee, and Skagit Valley Colleges.

GF, St H Ed Constr Acct	Reappropriation	Appropriation
Project	Estimated	1,091,900
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	

1,091,900

NEW SECTION. Sec. 882. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
To fund payments toward the purchase from the department of natural resources the land  
upon which Grays Harbor, Highline, and Green River Colleges are located.

GF, St H Ed Constr Acct	Reappropriation	Appropriation
Project	Estimated	25,000
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	

25,000

NEW SECTION. Sec. 883. FOR THE STATE BOARD OF EDUCATION—SUPERINTENDENT OF  
PUBLIC INSTRUCTION

To provide for planning, construction, modernization, and demolition of public school  
facilities: PROVIDED, That a maximum of \$115,400,000 may be disbursed during the 1983-85  
biennium: PROVIDED FURTHER, That a maximum of \$910,000 may be expended by the Super-  
intendent of Public Instruction for costs of administering this program.

Common school construction fund	Reappropriation	Appropriation
Project	50,000,000	123,900,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	

185,492,000

359,392,000

NEW SECTION. Sec. 884. FOR THE COMMISSION FOR VOCATIONAL EDUCATION  
To plan, design, and construct a fire service training center, to include a marine fire training  
structure.

GF, Fire Trng Constr Acct	Reappropriation	Appropriation
Project	5,600,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
1,353,000	Thereafter	

6,953,000

PART IX  
MISCELLANEOUS

NEW SECTION. Sec. 901. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVEL-  
OPMENT OR SUCCESSOR AGENCY—PUBLIC FACILITIES CONSTRUCTION LOAN REVOLVING  
FUND

For public works financing through the community economic revitalization board.  
Ten percent of the appropriation in this section shall be used to fund projects certified by  
the planning and community affairs agency or successor agency in the community block grant  
program and approved by the community economic revitalization board.

If Substitute House Bill No. 245 is not enacted before July 1, 1983, the appropriation in this  
section shall lapse.

GF, St Bldg Constr Acct	Reappropriation	Appropriation
Project		35,000,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	

35,000,000

NEW SECTION. Sec. 902. STATE TREASURER—REAPPROPRIATION OF BOND PROCEEDS  
To repay advances made in anticipation of receipt of bond proceeds.

GF, H Ed Constr Acct	9,104,000
GF, St H Ed Constr Acct	1,431,000
GF, State Bldg Constr Acct	1,689,000
GF, ORA	5,076,000

**NEW SECTION, Sec. 903. FOR THE ARTS COMMISSION—ART WORK ALLOWANCE**

One-half of one percent of moneys appropriated in this act shall be spent as provided in RCW 28A.58.055, 28B.10\_\_\_\_ (section 9, chapter \_\_\_\_\_, Laws of 1983 (Engrossed House Bill No. 867)), or 43.17.200.

**NEW SECTION, Sec. 904.** To effectively carry out the provisions of this act, the governor may assign responsibility for planning, engineering, construction, and other related activities to any appropriate agency.

**NEW SECTION, Sec. 905.** Reappropriations shall be limited to the unexpended balances remaining June 30, 1983, in the current appropriation for each project.

**NEW SECTION, Sec. 906.** If any federal moneys appropriated by this act for capital projects are not received by the state, the department or agency to which the moneys were appropriated may replace the federal moneys with any moneys available from private or local sources. No replacement may occur under this section without the prior approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

**NEW SECTION, Sec. 907.** Notwithstanding any other provisions of law, for the 1983-85 biennium, state treasurer transfers of reimbursement to the general fund from the community college capital projects account for debt service payments made under the provisions of Title 28B RCW shall occur only after such debt service payment has been made and only to the extent that funds are actually available in the account. Any unpaid reimbursements shall be a continuing obligation against the community college capital projects account until paid. The state board for community college education need not accumulate any specific balance in the community college capital projects account in anticipation of transfers to reimburse the general fund.

**NEW SECTION, Sec. 908.** Any capital improvements or capital project involving construction or major expansion of a state office facility, including district headquarters, detachment offices, and off-campus faculty offices, shall be reviewed by the department of general administration for possible consolidation and compliance with state office standards prior to allotment of funds. The intent of the requirement imposed by this section is to eliminate duplication and reduce total office space requirements where feasible, while ensuring proper service to the public.

**NEW SECTION, Sec. 909.** The governor, through the director of financial management, may authorize a transfer of appropriation authority provided for a capital project which is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer shall be used to expand the capacity of any facility beyond that intended by the legislature in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects which are funded from the same fund or account.

A report of any transfer effected under this section shall be filed with the legislative auditor by the director of financial management within thirty days of the date the transfer is effected. The legislative auditor shall review and compile these filings and periodically report thereon to the legislative budget committee and the appropriate standing committees of the senate and house of representatives.

**NEW SECTION, Sec. 910.** To effectively, efficiently, and economically carry out the provisions of this act, each agency shall establish a start date and completion date on each project which has an estimated total cost which exceeds two hundred thousand dollars and for which a start or completion date is not specified in this act. This information shall be furnished to the office of financial management and the legislative auditor no later than the date the allotment request is filed with the office of financial management. If a project cannot start on or before the indicated start date or be completed by the indicated completion date, the director of the agency shall document and file with the office of financial management and the legislative budget committee the reason for the delay and indicate the new start and/or completion date(s). The legislative auditor shall review these filings and report thereon to the legislative budget committee and the appropriate standing committees of the senate and house of representatives.

As a result of these filings, agency directors may be required to appear before the legislative budget committee for further explanation of a project delay.

**NEW SECTION, Sec. 911.** 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. 912.** 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, 1983."

MOTION

Senator Shinpoch moved that the following amendment by Senators Shinpoch and Talmadge to the committee amendment be adopted:

On page 11, after 9, insert the following:

"NEW SECTION. Sec. 131. For the Department of General Administration.

Provide funds to the Department of General Administration for a study to determine the feasibility and cost of constructing a bridge to McNeil Island across Pitt Passage.

	Reappropriation	Appropriation
GF. State Bldg. Constr. Acct.		\$100,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		100,000"

Renumber following sections consecutively.

POINT OF INQUIRY

Senator Guess: "Senator Shinpoch, do you really think that the Department of General Administration is the agency to study it? The operation of the prison is by Corrections and the agency that can tell you, without too much trouble, what the cost of a bridge would be, would be the Department of Transportation. It seems to me that since the Department of Corrections is the one who is going to be really responsible for making its final determination--I think it ought to go to Corrections and they have the opportunity to call on the Department of Transportation to do the job."

Senator Shinpoch: "Senator Guess, we discussed whether it should be Corrections or General Administration and came to the conclusion that it should be General Administration. I think that you are probably correct, in that studying of a bridge, it is also possible that we should have also considered Transportation. General Administration is the one that is going to do--probably the study and is going to do all the work--irrespective of whether you put it in Corrections or General Administration. It seemed to us that we could get a less biased report if we put it in General Administration than we could have if we put it into Corrections. That is the reason that we selected General Administration over Corrections."

POINT OF INQUIRY

Senator Goltz: "Senator Shinpoch, the format of the capital budget provides for something called 'estimated total cost' and usually that is the estimated total cost of the project including such an appropriation as the planning funds or the study funds which are provided in this particular section. Is there any idea about what the estimated total cost of such a bridge would be?"

Senator Shinpoch: "I have heard the figure of one million, but I doubt that we are going to build a bridge for one million, but then I have no idea, Senator Goltz I don't even know whether the one hundred thousand is a correct figure. Maybe something less--is a correct figure to make a legitimate trade study--and that is what you are really making. You are making a trade study of the cost of the ferry over a time frame versus the initial cost of a bridge and that kind of thing."

Debate ensued.

POINT OF INQUIRY

Senator Haley: "Senator Shinpoch, were you aware of that study that has been done by the U.S. Government that looked into how much it would cost and how much the specs might be to build a bridge across this passage?"

Senator Shinpoch: "I was aware that the federal government had done a study of all the costs of McNeil Island and decided it was no longer feasible from an operation standpoint. I suspect that once they made that decision that anything they were going to do--the cost got rated--I suspect that they didn't look at anything except Cadillacs."

Further debate ensued.

The President declared the question before the Senate to be adoption of the amendment by Senators Shipoch and Talmadge to the Committee on Ways and Means amendment.

The motion by Senator Shipoch carried and the amendment to the committee amendment was adopted on a rising vote.

## MOTION

Senator McDermott moved the following amendments to the committee amendment be considered and adopted simultaneously:

On page 20, strike all of section 228, and insert the following:

"NEW SECTION. Sec. 229. For the Department of Corrections

Construct a 500-bed medium security corrections center—Grandview.

GF, DSHS Const Acct Project Costs Through 6/30/83	Reappropriation	Appropriation
	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
	2,150,507	1,33,050,000
		36,030,507*

Renumber the following section consecutively.

On page 20, strike all of section 232, and insert the following:

"NEW SECTION. Sec. 232. For the Department of Corrections

Cover current obligations related to design, site planning, and land acquisition for a 500-bed medium security corrections center at Clallam Bay. New contracts or other expenditure obligations relative to this project are to be deferred.

GF, DSHS Constr Acct Project Costs Through 6/30/83 2,601,600	Reappropriation	Appropriation
	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
	5,054,371	
		7,655,971*

Renumber the following sections consecutively.

Debate ensued.

The President declared the question before the Senate to be adoption of the amendments by Senator McDermott to the committee amendment.

The motion by Senator McDermott failed and the amendments to the committee amendment were not adopted.

## MOTION

Senator McDermott moved that the following amendment to the committee amendment be adopted:

On page 20, line 10, after "relative to" insert "construction of"

Debate ensued.

## POINT OF INQUIRY

Senator Deccio: "Senator McDermott, does this put back, in essence, the so called Grandview site to where it was before--it goes back to the status quo?"

Senator McDermott: "Yes, the bill before you is exactly as it came from the Governor. We are merely limiting the use of money to the EIS and stop--no construction, no grading, no anything. That is our intention here."

Senator Deccio: "My question--does that go back to the status quo from the Governor's budget or does that change the Governor's--"

Senator McDermott: "We are clarifying what we think the Department of Corrections' intent was. They say they are not going to begin construction and the money that is in here is merely to make preparations for some future date to getting that prison. It is merely clarifying. They said they were not going to do construction. We are making sure that the language says that."

The President declared the question before the Senate to be adoption of the amendment by Senator McDermott to the Committee on Ways and Means amendment.

The motion by Senator McDermott carried and the amendment to the committee amendment was adopted.

MOTIONS

On motion of Senator McDermott, the following amendment to the Committee on Ways and Means amendment was adopted:

On page 20, strike all of line 17 and insert "830,000" and "2,330,000"

On motion of Senator McDermott, the following amendments to the Committee on Ways and Means amendment were considered and adopted simultaneously:

On page 30, after line 11, insert "GF, ORA -- Federal 58,900"

On page 30, after line 22, insert "GF, ORA -- Federal 96,300"

On page 34, line 6, strike "GF, ORA -- Federal 155,200"

On motion of Senator McDermott, the following amendment to the Committee on Ways and Means amendment was adopted:

On page 61, strike section 647.

MOTION

Senator Lee moved the following amendment by Senators Lee, Bluechel and von Reichbauer to the Committee on Ways and Means amendment be adopted:

On page 39, after line 27, insert the following:

"NEW SECTION, Sec. 449. For the State Parks and Recreation Commission.

Acquire approximately 38 acres, known as the West Hylebos area, near Federal Way.

		Reappropriation	Appropriation
GF, ORA State			114,000
GF, ORA			114,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			228,000*

ReNUMBER the remaining sections accordingly.

Debate ensued.

POINT OF INQUIRY

Senator Talmadge: "Senator Lee, where did we now come up with a figure of two hundred and twenty-eight thousand dollars for the purchase of this swamp land?"

Senator Lee: "Yes, I will be glad to answer that question. First of all, we subtracted out the land that is to be donated by one of the private land owners--several of the private land owners involved--and then we figured the figure of six thousand dollars per acre. At the present time, I believe the lot in which there are four per acre surrounding it are selling for about fifty-five hundred, or in other words, well over twenty thousand per acre."

Further debate ensued.

POINT OF INQUIRY

Senator Shinpoch: "Senator Lee, I noticed that this is out of the general fund of the outdoor recreation account of the state. Could you tell me how much money is in that account?"

Senator Lee: "I don't have those figures before me, but I understand that there is enough money for this particular project. As you know, the outdoor recreation account is administered by the Interagency Committee for Outdoor Recreation by various applications that come before them and so they try to keep a sizable amount of money available for local government applications. This would be a state application for that amount of funds."

Senator Shinpoch: "Thank you, Senator Lee. I must have misunderstood Mr. Tveten when he was testifying in front of the committee the other day. His testimony, as I recall, was that they had no money in the outdoor recreation account to buy this--that if we were going to buy it, it would have to be out of the general funds of the state under HJR 52, which is the debt limit that we just raised. That was

his testimony--it would have to be out of that. I think that when you are considering this you should consider that it is not going to be out of the--assuming that the Director's testimony is correct--and I would make that assumption--then it is out of the general fund, it is not out of the outdoor recreation account."

Senator Lee: "I presume that that was an additional question. The Director did say that he thought we needed another state-wide bond issue. What has been done with Referendum 52 monies, is that the bonds have been sold and have been deposited in the outdoor recreation account, from which then, these various kinds of appropriations are taken from. They don't have any uncommitted bond money out there. That is correct."

Senator Shinpoch demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on adoption of the amendment by Senators Lee, Bluechel and von Reichbauer to the committee amendment.

ROLL CALL

The Secretary called the roll and the motion by Senator Lee failed, the President voting 'nay,' and the amendment to the committee amendment was not adopted by the following vote: Yeas, 24; nays, 24; absent, 1.

Voting yea: Senators Barr, Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Sellar, von Reichbauer, Warnke, Zimmerman - 24.

Voting nay: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McDermott, McManus, Moore, Owen, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognlid, Williams, Wojahn - 24.

Absent: Senator Woody - 1.

MOTION

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

On page 39, after line 39, insert the following:

"NEW SECTION, Sec. 450. For the State Parks and Recreation Commission.

Add gravel to 90-car parking lot, relocate 200 feet of existing equestrian trail, and develop hiking trail--Bridle Trails.

		Reappropriation	Appropriation
GF, ORA State			49,100
GF, ORA			49,100
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			98,200"

Renumber the remaining sections accordingly.

MOTIONS

On motion of Senator Hansen, the following amendment to the Committee on Ways and Means amendment was adopted:

On page 66, line 2, strike "Acquisition" and insert "Maintenance"

On motion of Senator McDermott, the following amendments to the Committee on Ways and Means amendment were considered and adopted simultaneously:

On page 68, on line 6, strike "300,000", and insert "400,000"

On page 68, on line 11, strike "4,577,000", and insert "4,477,000"

MOTION

Senator Peterson moved the following amendment by Senators Peterson and Goltz to the Committee on Ways and Means amendment be adopted:

On page 79, after line 32, insert the following:

"NEW SECTION, Sec. 859. For Western Washington University

Design an addition to and remodel the existing arts technology building.

		Reappropriation	Appropriation
GF, WWU Cap Proj Acct			572,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs



6/30/83

Thereafter  
9,401,000

9,973,000\*

ReNUMBER following sections consecutively.

Debate ensued.

The President declared the question before the Senate to be adoption of the amendment by Senators Peterson and Goltz to the Committee on Ways and Means amendment.

The motion by Senator Peterson failed on a rising vote and the amendment to the committee amendment was not adopted.

MOTION

Senator Deccio moved adoption of the following amendment by Senators Deccio, Newhouse and Hansen to the Committee on Ways and Means amendment: On page 77, after line 27, insert new section before existing Section 848:

"NEW SECTION, Sec. 848. For Central Washington University.

Construct and equip computer applications laboratory Hogue Technology Building and renovate Hebel Building.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project	Estimated	946,500
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		946,500*

ReNUMBER following sections consecutively.

Debate ensued.

POINT OF INQUIRY

Senator Patterson: "Senator Hansen, was this project one of the top priorities in the building request program of Central when they submitted it to the Governor's Office? Was this one of their top priorities and had they asked that these tuition monies be set aside for the remodeling of this particular hall in high tech?"

Senator Hansen: "As I understand it, that is right, Senator Patterson."

Senator Patterson: "This is one of their top priorities?"

Senator Hansen: "They have already started their high tech program, if you have been there, and are years ahead in this high tech field on the campus there at the present time."

Senator Patterson: "In that case, I would like to support this amendment. You know, many times we overlook the fact that we have people on these campuses that spend a great deal of time trying to determine their curriculum and the facilities that are needed to support the curriculum and if this was one of the top priority facilities that Central decided that they would ask the Legislature to appropriate the money out of their own tuition-generated funds, then I think it is quite appropriate that we respond to the request of the regents of Central in this particular case, because they are using money that is collected through the tuition that is charged to every student there and if this is high priority, I think we ought to respond in that way."

REMARKS BY SENATOR McDERMOTT

Senator McDermott: "In answer to your question, Senator Patterson, it was number seven on their priority list. We gave them the first six that they asked for and that is why I cut off the line at this point. There is additional space--if you look through the budget, they asked for computer hardware, they asked for additional computer space in the staff center. There are a number of issues related to high tech. This is going the whole route and working on a major remodel and we stopped at that point to wait for the committee's advice."

Further debate ensued.

Senator Deccio demanded a roll call and it was not sustained.

The President declared the question before the Senate to be adoption of the amendment by Senators Deccio, Newhouse and Hansen to the committee amendment.

The motion by Senator Deccio carried and the amendment to the committee amendment was adopted on a rising vote.

#### NOTICE FOR RECONSIDERATION

Having voted on the prevailing side, Senator Gaspard moved that the Senate reconsider the vote by which the amendment by Senators Peterson and Goltz to page 79, after line 32, failed to be adopted by the Senate.

Debate ensued.

The President declared the question before the Senate to be the motion by Senator Gaspard to reconsider the vote by which the amendment by Senators Peterson and Goltz to the committee amendment was not adopted.

The motion by Senator Gaspard carried and the Senate immediately reconsidered the amendment on page 79, after line 32, to the committee amendment.

Debate ensued.

#### POINT OF INQUIRY

Senator Patterson: "Senator Goltz, as you well know, this project on this amendment will call for something over nine million dollars once the planning money is put in place. I am just asking the question as to whether or not your projection on your tuition monies that would be called upon to amortize this kind of an expenditure, whether or not that projection does cover the cost of this building and in what period of time?"

Senator Goltz: "Senator Patterson, I do not have a flow chart of the dollars generated out of the normal school fund and the tuition revenues. It is my impression that this is not sufficient, that there would have to be some money from the higher education construction account down the road if this project does, in fact, cost this much money. In answer to your question, there may need to be, at some future time, some additional money from an account other than the student tuition in the normal school fund."

Senator Patterson: "Then you would be calling on substantial money from the general fund at that point in time."

Senator Goltz: "We would have to face that at that particular time. That would be two years down the road after the project, on its merits, can be determined and the cost to be more carefully fixed."

Further debate ensued.

Senator Goltz demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on adoption of the amendment by Senators Peterson and Goltz to page 79, after line 32, on reconsideration, to the committee amendment.

#### ROLL CALL

The Secretary called the roll and the amendment to page 79, after line 32, on reconsideration, to the committee amendment was adopted by the following vote: Yeas, 29; nays, 20.

Voting yea: Senators Bender, Bottiger, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Hansen, Hemstad, McDermott, McManus, Metcalif, Moore, Owen, Patterson, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody - 29.

Voting nay: Senators Barr, Bauer, Benitz, Bluechel, Clarke, Craswell, Haley, Hayner, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, Newhouse, Pullen, Quigg, Rasmussen, Sellar, Zimmerman - 20.

#### MOTION

At 5:55 p.m., on motion of Senator Shinpoch, the Senate recessed until 7:30 p.m.

#### EVENING SESSION

The President called the Senate to order at 7:30 p.m.

There being no objection, the President returned the Senate to the fourth order of business.

## MESSAGES FROM THE HOUSE

May 9, 1983

Mr. President:

The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 3520,

SUBSTITUTE SENATE BILL NO. 3628, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 9, 1983

Mr. President:

The House has passed:

SUBSTITUTE SENATE BILL NO. 3067, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 9, 1983

Mr. President:

The House concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 570 and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

May 9, 1983

Mr. President:

The House concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 139 and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

## SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 4137.

## SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 3067.

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

There being no objection, the Senate resumed consideration of Engrossed Substitute House Bill No. 55 and the pending Committee on Ways and Means amendment under consideration earlier today.

## MOTIONS

On motion of Senator Zimmerman, Senator Pullen was excused.

Senator Granlund moved the following amendment by Senators Granlund and Gaspard to the Committee on Ways and Means amendment be adopted:

On page 86, after line 42, add a new section to read as follows:

"NEW SECTION. Sec. 905. Prior to expending any funds appropriated under Section 131 of this act to study the feasibility and costs of constructing a bridge to McNeil Island across Pitt Passage, the Department of General Administration shall first investigate and utilize the finding of existing studies on the subject."

Renumber the remaining sections accordingly.

Debate ensued.

Senator Shinpoch demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on adoption of the amendment by Senators Granlund and Gaspard to the committee amendment.

## ROLL CALL

The Secretary called the roll and the motion by Senator Granlund carried and the amendment to the committee amendment was adopted by the following vote: Yeas, 42; nays, 3; absent, 3; excused, 1.

Yoting yea: Senators Barr, Bauer, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fuller, Gaspard, Goltz, Granlund, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, McCaslin, McDermott, McManus, Metcall, Newhouse, Owen, Patterson,

Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vogniild, Warnke, Williams, Wojahn, Woody, Zimmerman - 42.

Voting nay: Senators Guess, Moore, von Reichbauer - 3.

Absent: Senators Bender, Fleming, Lee - 3.

Excused: Senator Pullen - 1.

### MOTION

Senator Hemstad moved the the following amendment by Senators Hemstad and Lee to the Committee on Ways and Means amendment be adopted:

On page 79, after line 23, insert:

**\*NEW SECTION, Sec. 857. For the Evergreen State College**

For replacement of the academic computer.

GF, Cap Purch & Dev Acct	Reappropriation		Appropriation
	Estimated	Estimated	405,000
Project	Costs	Costs	Estimated
Through	7/1/85 and	Thereafter	Total
6/30/83			Costs
			405,000*

Renumber sections consecutively.

Debate ensued.

The President declared the question before the Senate to be adoption of the amendment by Senators Hemstad and Lee to the Committee on Ways and Means amendment.

The motion by Senator Hemstad failed and the amendment to the committee amendment was not adopted.

### MOTION

On motion of Senator McDermott, the following amendment to the Committee on Ways and Means amendment was adopted:

On page 80, line 2, strike "GF, St H Ed Constr Acct" and insert "GF, State"

### MOTION

Senator Deccio moved adoption of the following amendment by Senators Deccio and Hansen to the Committee on Ways and Means amendment"

On page 39, after line 39, insert the following:

**NEW SECTION, Sec. 450. FOR THE STATE PARKS AND RECREATION COMMISSION**

Complete Phase I and initiate Phase II acquisition to preserve Yakima Greenway.

GF, ORA—State GF, ORA—Federal	Reappropriation		Appropriation
	Estimated	Estimated	125,000
Project	Costs	Costs	Estimated
Through	7/1/85 and	Thereafter	Total
6/30/83			Costs
150,000			400,000*

Renumber the sections consecutively.

Debate ensued.

The President declared the question before the Senate to be adoption of the amendment by Senators Deccio and Hansen to the Committee on Ways and Means amendment.

The motion by Senator Deccio failed and the amendment to the committee amendment was not adopted on a rising vote.

The President declared the question before the Senate to be adoption of the Committee on Ways and Means amendment, as amended.

The motion by Senator McDermott carried and the committee amendment, as amended, was adopted.

## MOTION

On motion of Senator McDermott, the rules were suspended, Engrossed Substitute House Bill No. 55, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage. Debate ensued.

## POINT OF INQUIRY

Senator Lee: "Senator McDermott, I'm wondering--are there any bond authorizations in this capital budget bill? Are we authorizing some bond sales?"

Senator McDermott: "To my knowledge, 'no.' This is merely the authorization of the expenditure of money."

Senator Lee: "O.K. I did want to make that point, so then this would not take a sixty percent majority as the capital budgets, in the past, have--just a simple majority?"

Senator McDermott: "The President has already ruled on that."

## POINT OF INQUIRY

Senator Guess: "Senator McDermott, you said that two hundred twenty-nine million is going to come from the reappropriation and four hundred thirty-one million is going to come from new. Where is this money going to come from since Senator Lee raised the point? I'm curious. Where are we going to get all this money?"

Senator McDermott: "Some of the money comes from the game fund, some of the money comes from the general fund, some of the money comes from the outdoor recreation budget account. There are a variety of sources. Some is federal money. We are repairing armories with federal money. There are a variety of sources from which this money comes. It all comes from taxpayers quite obviously, but in the budget, itself, it comes in a variety of ways."

Senator Guess: "How much of the program though--out of that four hundred thirty-one million is going to be supported by new bonds? Do you have a breakdown on that?"

Senator McDermott: "I'm sorry, I can't give you that figure exactly."

Further debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 55, as amended by the Senate.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute House Bill No. 55, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 29; nays, 19; excused, 1.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Hansen, Hemstad, Hughes, Jones, McDermott, McManus, Owen, Patterson, Peterson, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Warnke, Williams, Woody, Zimmerman - 29.

Voting nay: Senators Barr, Benitz, Clarke, Craswell, Guess, Haley, Hayner, Hurley, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Newhouse, Quigg, Rasmussen, Vognild, von Reichbauer, Wojahn - 19.

Excused: Senator Pullen - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 55, 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

ENGROSSED HOUSE BILL NO. 1094, by Representative Moon

Relating to local government.

The bill was read the second time.

## MOTION

Senator Williams moved adoption of the following Committee on Energy and Utilities amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. There is added to chapter 35.21 RCW a new section to read as follows:

Officials and employees of cities and towns shall be immune from civil liability for mistakes and errors of judgment in the good faith performance of acts within the scope of their official duties involving the exercise of judgment and discretion which relate solely to their responsibilities for electrical utilities. This grant of immunity shall not be construed as modifying the liability of the city or town.

NEW SECTION. Sec. 2. There is added to chapter 54.12 RCW a new section to read as follows:

Commissioners and employees of public utility districts shall be immune from civil liability for mistakes and errors of judgment in the good faith performance of acts within the scope of their official duties involving the exercise of judgment and discretion which relate solely to their responsibilities for electrical utilities. This grant of immunity shall not be construed as modifying the liability of the public utility district.

NEW SECTION. Sec. 3. There is added to chapter 87.03 RCW a new section to read as follows:

Directors and employees of irrigation districts shall be immune from civil liability for mistakes and errors of judgment in the good faith performance of acts within the scope of their official duties involving the exercise of judgment and discretion which relate solely to their responsibilities for electrical utilities. This grant of immunity shall not be construed as modifying the liability of the irrigation district.

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."

#### MOTION

On motion of Senator Bottiger, further consideration of Engrossed House Bill No. 1094 was deferred.

There being no objection, the President returned the Senate to the fourth order of business.

#### MESSAGE FROM THE HOUSE

May 6, 1983

Mr. President:

The House has passed REENGROSSED SUBSTITUTE SENATE BILL NO. 3660 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 6, chapter 157, Laws of 1973 1st ex. sess. as last amended by section 10, chapter ... (SSB 3782), Laws of 1983 and RCW 26.09.060 are each amended to read as follows:

(1) In a proceeding for:

(a) Dissolution of marriage, legal separation, or a declaration of invalidity; or

(b) Disposition of property or liabilities, maintenance, or support following dissolution of the marriage by a court which lacked personal jurisdiction over the absent spouse; either party may move for temporary maintenance or for temporary support of children entitled to support. The motion shall be accompanied by an affidavit setting forth the factual basis for the motion and the amounts requested.

(2) As a part of a motion for temporary maintenance or support or by independent motion accompanied by affidavit, either party may request the court to issue a temporary restraining order or preliminary injunction, providing relief proper in the circumstances, and restraining or enjoining any person from:

(a) Transferring, removing, encumbering, concealing, or in any way disposing of any property except in the usual course of business or for the necessities of life, and, if so restrained or enjoined, requiring him to notify the moving party of any proposed extraordinary expenditures made after the order is issued;

(b) Molesting or disturbing the peace of the other party or of any child and, upon a showing by clear and convincing evidence that the party so restrained or enjoined has used or displayed or threatened to use a deadly weapon as defined in RCW 9A.04.110 in an act of violence or has previously committed acts of domestic violence and is likely to use or display or threaten to use a deadly weapon in an act of domestic violence, requiring the party to surrender any deadly weapon in his immediate possession or control or subject to his immediate possession or control to the sheriff of the county having jurisdiction of the proceeding or to the restrained or enjoined party's counsel or to any person designated by the court. The court may order temporary surrender of deadly weapons without notice to the other party only if it finds

on the basis of the moving affidavit or other evidence that irreparable injury could result if an order is not issued until the time for response has elapsed:

(c) Entering the family home or the home of the other party upon a showing of the necessity therefor;

(d) Removing a child from the jurisdiction of the court.

(3) The court may issue a temporary restraining order without requiring notice to the other party only if it finds on the basis of the moving affidavit or other evidence that irreparable injury could result if an order is not issued until the time for responding has elapsed.

(4) The court may issue a temporary restraining order or preliminary injunction and an order for temporary maintenance or support in such amounts and on such terms as are just and proper in the circumstances.

(5) A temporary order, temporary restraining order, or preliminary injunction:

(a) Does not prejudice the rights of a party or any child which are to be adjudicated at subsequent hearings in the proceeding;

(b) May be revoked or modified;

(c) Terminates when the final decree is entered or when the petition for dissolution, legal separation, or declaration of invalidity is dismissed;

(d) May be entered in a proceeding for the modification of an existing decree.

(6) A support debt owed to the state for public assistance expenditures which has been charged against a party pursuant to RCW 74.20A.040 and/or 74.20A.055 shall not be merged in, or otherwise extinguished by, the final decree or order, unless the office of support enforcement has been given notice of the final proceeding and an opportunity to present its claim for the support debt to the court and has failed to file an affidavit as provided in this subsection. Notice of the proceeding shall be served upon the office of support enforcement personally, or by certified mail, and shall be given no fewer than thirty days prior to the date of the final proceeding. An original copy of the notice shall be filed with the court either before service or within a reasonable time thereafter. The office of support enforcement may present its claim, and thereby preserve the support debt, by filing an affidavit setting forth the amount of the debt with the court, and by mailing a copy of the affidavit to the parties or their attorney prior to the date of the final proceeding.

Sec. 2. Section 10, page 452, Laws of 1873 as last amended by section 1, chapter 121, Laws of 1969 ex. sess. and RCW 26.16.200 are each amended to read as follows:

Neither husband or wife is liable for the debts or liabilities of the other incurred before marriage, nor for the separate debts of each other, nor is the rent or income of the separate property of either liable for the separate debts of the other: PROVIDED, That the earnings and accumulations of the husband shall be available to the legal process of creditors for the satisfaction of debts incurred by him prior to marriage, and the earnings and accumulations of the wife shall be available to the legal process of creditors for the satisfaction of debts incurred by her prior to marriage. For the purpose of this section, neither the husband nor the wife shall be construed to have any interest in the earnings of the other: PROVIDED FURTHER, That no separate debt, except a child support or maintenance obligation, may be the basis of a claim against the earnings and accumulations of either a husband or wife unless the same is reduced to judgment within three years of the marriage of the parties. The obligation of a parent or stepparent to support a child may be collected out of the parent's or stepparent's separate property, the parent's or stepparent's earnings and accumulations, and the parent's or stepparent's share of community personal and real property. Funds in a community bank account which can be identified as the earnings of the nonobligated spouse are exempt from satisfaction of the child support obligation of the debtor spouse.

Sec. 3. Section 12, chapter 164, Laws of 1971 ex. sess. and RCW 74.20A.120 are each amended to read as follows:

In the case of a bank, bank association, mutual savings bank, or savings and loan association maintaining branch offices, service of a lien or order to withhold and deliver or any other notice or document authorized by this chapter shall only be effective as to the accounts, credits, or other personal property of the debtor in the particular branch upon which service is made.

If the department initiates collection action under this chapter against a community bank account, the debtor or the debtor's spouse, upon service on the department of a timely request, shall have a right to a contested hearing under chapter 34.04 RCW to establish that the funds in the account, or a portion of those funds, were the earnings of the nonobligated spouse, and are exempt from the satisfaction of the child support obligation of the debtor pursuant to RCW 26.16.200.

Sec. 4. Section 25, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.250 are each amended to read as follows:

The defendant may also in like manner controvert the answer of the garnishee and claim the exemption provided by RCW 26.16.200.

Sec. 5. Section 7, chapter 42, Laws of 1975--76 2nd ex. sess. and RCW 26.26.060 are each amended to read as follows:

(1) ~~(a)~~ A child, ~~((his))~~ a child's natural mother, ~~((or a man presumed to be his father under RCW 26.26.040))~~ a man alleged or alleging himself to be the father, a child's guardian, a child's personal representative, the state of Washington, or any interested party may bring an action ~~((or))~~ at any time for the purpose of declaring the existence or nonexistence of the father and child relationship ~~((presumed under RCW 26.26.040; or))~~.

(b) A man presumed to be a child's father under RCW 26.26.040 may bring an action for the purpose of declaring the nonexistence of the father and child relationship ~~((presumed under RCW 26.26.040 (1), (2), (3) or (4)))~~ only if the action is brought within a reasonable time after obtaining knowledge of relevant facts. After the presumption has been rebutted, paternity of the child by another man may be determined in the same action, if he has been made a party.

(2) ~~((Any interested party or the department of social and health services or the state of Washington may bring an action at any time for the purpose of determining the existence or nonexistence of the father and child relationship:~~

~~(3))~~ In an action brought by the state pursuant to this chapter, the state may be represented by either the prosecuting attorney for the county where the action is brought or by the attorney general.

~~((4) An action to determine the existence of the father and child relationship with respect to a child who has no presumed father under RCW 26.26.040 may be brought by the child, the mother or personal representative of the child, the department of social and health services, the state of Washington, the personal representative or a parent of the mother if the mother has died, a man alleged or alleging himself to be the father, or the personal representative or a parent of the alleged father if the alleged father has died or is a minor. If a child has no presumed father under RCW 26.26.040 and the action to determine the existence of the father and child relationship has not been brought and proceedings to adopt the child have not been instituted within one year after the child's birth, an action to determine the existence of the relationship may be brought promptly on behalf of the child by the department of social and health services or the state of Washington:~~

~~(5))~~ (3) Regardless of its terms, no agreement between an alleged or presumed father and the mother or child, shall bar an action under this section.

~~((6))~~ (4) If an action under this section is brought before the birth of the child, all proceedings may be stayed until after the birth, except service of process and discovery, including the taking of depositions to perpetuate testimony.

~~((7) No action may be brought by the department of social and health services to establish the duty of someone who is not a presumed parent under RCW 26.26.040 to support a child after five years (a) from the date of the child's birth, or (b) from any date the alleged parent ceases to contribute to the care, education, and support of the child, as required by chapter 26.20 RCW, whichever is later. PROVIDED: That the time during which the alleged parent is absent from the state shall not be included in the time periods described above:))~~

(5) Actions under this chapter may be maintained as to any child, whether born before or after the enactment of this chapter.

Sec. 6. Section 10, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.090 are each amended to read as follows:

The child shall be made a party to the action. If ~~((he))~~ the child is a minor ~~((he))~~, the child shall be represented by ~~((his))~~ the child's general guardian or a guardian ad litem appointed by the court subject to RCW 74.20.310. The child's mother or father may not represent the child as guardian or otherwise. The natural mother, each man presumed to be the father under RCW 26.26.040, and each man alleged to be the natural father, shall be made parties or, if not subject to the jurisdiction of the court, shall be given notice of the action in a manner prescribed by the court and an opportunity to be heard. The court may align the parties.

Sec. 7. Section 11, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.100 are each amended to read as follows:

(1) The court may, and upon request of a party shall, require the child, mother, and a presumed or alleged father to submit to blood tests. The tests shall be performed by an expert ~~((qualified as an examiner of blood types:))~~ in paternity blood testing appointed by the court.

(2) The court, upon reasonable request by a party, shall order that ~~((independent))~~ additional blood tests be performed by other experts qualified ~~((as examiner of blood types))~~ in paternity blood testing.

(3) In all cases, the court shall determine the number and qualifications of the experts.

Sec. 8. Section 14, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.130 are each amended to read as follows:

(1) The judgment and order of the court determining the existence or nonexistence of the parent and child relationship ~~((is))~~ shall be determinative for all purposes.

(2) If the judgment and order of the court is at variance with the child's birth certificate, the court shall order that an amended birth certificate be issued.

(3) The judgment and order ~~((may))~~ shall contain ~~((any))~~ other appropriate provisions directed ~~((against))~~ to the appropriate ~~((party))~~ parties to the proceeding, concerning the duty of current and future support, the extent of any liability for past support furnished to the child if



that issue is before the court, the custody and guardianship of the child, visitation privileges with the child, the furnishing of bond or other security for the payment of the judgment, or any other matter in the best interest of the child. The judgment and order may direct the father to pay the reasonable expenses of the mother's pregnancy and confinement.

(4) Support judgment and orders shall be for periodic payments which may vary in amount. The court may limit the father's liability for the past support to the child to the proportion of the expenses already incurred as the court deems just: PROVIDED HOWEVER, That the court shall not limit or affect in any manner the right of nonparties including the state of Washington to seek reimbursement for support and other services previously furnished to the child.

(5) In determining the amount to be paid by a parent for support of the child and the period during which the duty of support is owed, the court shall consider all relevant facts, including, but not limited to:

- (a) The needs of the child;
- (b) The standard of living and circumstances of the parents;
- (c) The relative financial means of the parents;
- (d) The earning ability of the parents;
- (e) The need and capacity of the child for education, including higher education;
- (f) The age of the child;
- (g) The responsibility of the parents for the support of others; and
- (h) The value of services contributed by the custodial parent.

(6) In determining custody, a court, in accordance with the best interests of the child, shall consider all relevant facts including:

(a) The wishes of the child's parents or parent as to ~~((his))~~ the child's custody and as to visitation;

(b) The wishes of the child as to ~~((his))~~ the child's custodian and as to visitation privileges;

(c) The interaction and interrelationship of the child with ~~((his))~~ the child's parent or parents, ~~((his))~~ the child's siblings, and any other person who may significantly affect the child's best interests;

(d) The child's adjustment to ~~((his))~~ home, school, and community; and

(e) The mental and physical health of all individuals involved.

The court shall not consider conduct of a proposed custodian that does not affect the welfare of the child.

(7) In any dispute between the natural parents of a child and a person or persons who have (a) commenced adoption proceedings or who have been granted an order of adoption, and (b) pursuant to a court order, or placement by the department of social and health services or by a licensed agency, have had actual custody of the child for a period of one year or more before court action is commenced by the natural parent or parents, the court shall consider the best welfare and interests of the child, including the child's need for situation stability, in determining the matter of custody, and the parent or person who is more fit shall have the superior right to custody.

Sec. 9. Section 19, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.180 are each amended to read as follows:

Any promise in writing to furnish support for a child, growing out of a supposed or alleged father and child relationship, does not require consideration and is enforceable according to its terms, subject to RCW 26.26.060~~((5))~~(3).

Sec. 10. Section 21, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.200 are each amended to read as follows:

Notwithstanding any other rule of law concerning public hearings and records, any hearing or trial held under this chapter shall be held in closed court without admittance of any person other than those necessary to the action or proceeding or for the orderly administration of justice. All papers and records, other than the final judgment and matters related to the enforcement of the final judgment, pertaining to the action or proceeding, whether part of the permanent record of the court or of a file in the department of social and health services, are subject to inspection by a nonparty only upon an order of the court for good cause shown following reasonable notice to all parties of the hearing where such order is to be sought.

NEW SECTION, Sec. 11. There is added to chapter 26.26 RCW a new section to read as follows:

A court may not order payment for support provided or expenses incurred more than five years prior to the commencement of the action. Any period of time in which the responsible party has concealed himself or avoided the jurisdiction of the court under this chapter shall not be included within the five-year period.

NEW SECTION, Sec. 12. There is added to chapter 26.26 RCW a new section to read as follows:

(1) If the court has made a finding as to the paternity of a child, or if a party's acknowledgment of paternity has been filed with the court, or a party alleges he is the father of the child, any party may move for temporary support for the child prior to the date of entry of the

final order. The motion shall be accompanied by an affidavit setting forth the factual basis for the motion and the amounts requested.

(2) Any party may request the court to issue a temporary restraining order or preliminary injunction, providing relief proper in the circumstances, and restraining or enjoining any party from:

- (a) Molesting or disturbing the peace of another party;
- (b) Entering the home of another party; or
- (c) Removing a child from the jurisdiction of the court.

(3) The court may issue a temporary restraining order without requiring notice to the other party only if it finds on the basis of the moving affidavit or other evidence that irreparable injury could result if an order is not issued until the time for responding has elapsed.

(4) The court may issue a temporary restraining order or preliminary injunction and an order for temporary support in such amounts and on such terms as are just and proper in the circumstances.

(5) A temporary order, temporary restraining order, or preliminary injunction:

(a) Does not prejudice the rights of a party or any child which are to be adjudicated at subsequent hearings in the proceeding;

(b) May be revoked or modified;

(c) Terminates when the final order is entered or when the petition is dismissed; and

(d) May be entered in a proceeding for the modification of an existing order.

(6) A support debt owed to the state for public assistance expenditures which has been charged against a party pursuant to RCW 74.20A.040 and/or 74.20A.055 shall not be merged in, or otherwise extinguished by, the final decree or order, unless the office of support enforcement has been given notice of the final proceeding and an opportunity to present its claim for the support debt to the court and has failed to file an affidavit as provided in this subsection. Notice of the proceeding shall be served upon the office of support enforcement personally, or by certified mail, and shall be given no fewer than thirty days prior to the date of the final proceeding. An original copy of the notice shall be filed with the court either before service or within a reasonable time thereafter. The office of support enforcement may present its claim, and thereby preserve the support debt, by filing an affidavit setting forth the amount of the debt with the court, and by mailing a copy of the affidavit to the parties or their attorney prior to the date of the final proceeding.

NEW SECTION. Sec. 13. There is added to chapter 4.16 RCW a new section to read as follows:

This chapter does not limit the time in which an action for determination of paternity may be brought under chapter 26.26 RCW.

Sec. 14. Section 21, chapter 5, Laws of 1961 ex. sess. as amended by section 38, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 70.58.095 are each amended to read as follows:

The state registrar of vital statistics shall establish a new certificate of birth for a person born in this state when he receives a request that a new certificate be established and such evidence as required by regulation of the state board of health proving that such person has been acknowledged, or that a court of competent jurisdiction has determined the paternity of such person. When a new certificate of birth is established, the actual place and date of birth shall be shown. It shall be substituted for the original certificate of birth. Thereafter, the original certificate and the evidence of paternity, or acknowledgment shall not be subject to inspection except upon order of a court of competent jurisdiction, or upon written request of the department of social and health services, the attorney general, or a prosecuting attorney, stating that the documents are being sought in furtherance of an action to enforce a duty of support. If no certificate of birth is on file for the person for whom a new certificate is to be established under this section, a delayed registration of birth shall be filed with the state registrar of vital statistics as provided in RCW 70.58.120.

Sec. 15. Section 13, chapter 206, Laws of 1963 as amended by section 370, chapter 141, Laws of 1979 and RCW 74.20.280 are each amended to read as follows:

The department is authorized and directed to establish a central unit to serve as a registry for the receipt of information, for answering interstate inquiries concerning ((deserting)) the parents of dependent children, to coordinate and supervise departmental activities in relation to ((deserting)) such parents ((and)), to assure effective cooperation with law enforcement agencies, and to perform other functions authorized by state and federal support enforcement and child custody statutes and regulations.

To effectuate the purposes of this section, the secretary may request from state, county and local agencies all information and assistance as authorized by this chapter. Upon the request of the department of social and health services, all state, county and city agencies, officers and employees shall cooperate in the location of the parents ((who have abandoned or deserted; or are failing to support; children receiving public assistance)) of a dependent child and shall ((on request)) supply the ((state)) department ((of social and health services)) with all information ((on hand)) relative to the location, income and property of such parents, notwithstanding any provision of law making such information confidential.

Any records established pursuant to the provisions of this section shall be available only to the attorney general, prosecuting attorneys, ~~((and))~~ courts having jurisdiction in support and/or abandonment proceedings or actions, or other authorized agencies ((in other states engaged in the enforcement of support of minor children as authorized by the rules and regulations of the department and by the provisions of the federal social security act)) or persons for use consistent with the intent of state and federal support enforcement and child custody statutes and regulations.

Sec. 16. Section 28A.10.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 11, chapter 151, Laws of 1979 and RCW 28A.10.080 are each amended to read as follows:

(1) The state agency may purchase, from any source, by contract, vocational rehabilitation services for handicapped persons, payments for such services to be made subject to procedures and fiscal controls approved by the director of financial management. The performance of and payment for such services shall be subject to post audit review by the state auditor.

(2) Notwithstanding any other provision of RCW 28A.10.080, 28A.10.100, 28A.10.105 and 28A.10.110, when the state agency determines that a mentally retarded, severely handicapped, or disadvantaged person can reasonably be expected to benefit from, or in his best interests reasonably requires extended sheltered employment or supervised work furnished by an approved nonprofit organization, the state agency is authorized to contract with such organization for the furnishing of such sheltered employment or supervised work to such mentally retarded, severely handicapped, or disadvantaged person. ~~((The state agency is authorized to expend for or toward the cost of providing such sheltered employment or supervised work a sum or sums not to exceed one thousand five hundred dollars per annum for each such mentally retarded, severely handicapped, or disadvantaged person in order to maintain him as a contributing and self-supporting member of society as an alternative to dependency. PROVIDED: That the state agency is authorized to expend in excess of one thousand five hundred dollars per annum for each such mentally retarded, severely handicapped, or disadvantaged person when federal or other funding becomes available to the state agency for such purpose and such additional expenditures may continue as long as the additional federal or other funding is or becomes available.))~~

(3) The determination of eligibility for such service shall be made for each individual by the state agency. The mentally retarded, severely handicapped and disadvantaged individuals served under this law shall be construed to be poor or infirm within the meaning of the term as used in the state Constitution.

(4) The state agency shall maintain a register of nonprofit organizations which it has inspected and certified as meeting required standards and as qualifying to serve the needs of such mentally retarded, severely handicapped, or disadvantaged persons. Eligibility of such organizations to receive the funds hereinbefore specified shall be based upon standards and criteria promulgated by the state agency.

(5) The state agency is authorized to promulgate such rules and regulations as it may deem necessary or proper to carry out the provisions of this section.

NEW SECTION. Sec. 17. There is added to chapter 43.20A RCW a new section to read as follows:

(1) "Vendor", for the purposes of this section, means any public or private agency providing services under contract to or for clientele of the department.

(2) Except as provided in subsection (5) of this section, vendors of services to the department of social and health services shall pay interest on overpayments or erroneous payments made by the department on billings from the vendor at the rate of one percent per month, but of at least one dollar per month.

(3) The department may recover interest accrued under this section by setoff or recoupment against subsequent contract payments due to the vendor.

(4) The interest shall begin accruing thirty days after notice to the vendor of overpayment or erroneous payment or the date of the final decision on any administrative or judicial remedy sought by the vendor, whichever is the later date.

(5) This section does not apply to:

(a) Interagency or intergovernmental transactions;

(b) Contracts for public works, goods and services procured for the exclusive use of the department, equipment, or travel;

(c) Claims subject to a good faith dispute. A good faith dispute exists when:

(i) The exact amount of the overpayment has not been established by agreement of the parties or by operation of law; or

(ii) All administrative or judicial remedies available have not been exhausted;

(d) Nursing homes licensed under chapter 18.51 RCW or portions of hospitals licensed under chapter 70.41 RCW and operating as a nursing home, if those facilities are subject to chapter 74.46 RCW;

(e) Contracts entered into before the effective date of this section.

NEW SECTION. Sec. 18. The enactment of section 17 of this act shall not have the effect of terminating or in any way modifying any liability, civil or criminal, which is already in existence on the effective date of section 17 of this act.

Sec. 19. Section 6, chapter 224, Laws of 1982 and RCW 71.20.016 are each amended to read as follows:

~~((Prior to the development of a new statutory definition by the department of social and health services))~~ The term "developmental disability" ~~((shall))~~ means a disability attributable to mental retardation, cerebral palsy, epilepsy, autism, or another neurological or other condition of an individual found by the secretary ~~((of Health and Human Services))~~ of the department of social and health services to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to such individual.

NEW SECTION. Sec. 20. There is added to chapter 43.20A RCW a new section to read as follows:

The department may establish and operate workshops for the training, habilitation, and rehabilitation of residents of institutions of the department. Products, goods, wares, articles, or merchandise manufactured or produced by the workshops may be sold to governmental agencies or on the open market at fair value. Prior to establishment of new state-operated workshops at institutions, the department shall consider the availability, appropriateness, and relative cost of contracting with and giving first preference to private nonprofit sheltered workshops, as defined in RCW 82.04.385, to provide workshop activities for residents of the institution.

The secretary shall credit the moneys derived from the sale of items from workshops under this section to a revolving fund under the control of the superintendent of the institution or facility where the items were manufactured. These moneys shall be expended for the purchase of supplies and materials for use in the workshop, to provide pay and training incentives for residents, and for other costs of the operation of the workshop. Payment of residents for work performed on workshop projects shall take into account resident productivity in comparison to the productivity of a nondisabled person earning the minimum wage as well as other factors consistent with goals of rehabilitation and treatment. Institutional work training programs shall be operated in accordance with standards required by the department for private vendors for the same or similar service.

Workshop materials and supplies may be purchased through state purchasing or from private vendors. Each institution or facility shall maintain records to demonstrate that purchases are made at the fair market value or best available price.

Sec. 21. Section 2, chapter 102, Laws of 1967 ex. sess. as amended by section 47, chapter 141, Laws of 1979 and RCW 43.20A.605 are each amended to read as follows:

(1) The secretary shall have full authority to administer oaths and take testimony thereunder, to issue subpoenas requiring the attendance of witnesses before him together with all books, memoranda, papers, and other documents, articles or instruments, and to compel the disclosure by such witnesses of all facts known to them relative to the matters under investigation. ~~((The provisions of RCW 34.04.105 shall apply to subpoenas issued hereunder.))~~

(2) Subpoenas issued in agency hearings and contested cases shall be governed by the provisions of RCW 34.04.105.

(3) Subpoenas issued in the conduct of investigations required or authorized by other statutory provisions or necessary in the enforcement of other statutory provisions shall be governed by the following:

(a) The secretary shall not compel the production of any papers, books, records, or documents which are in the custody of another public official or agency and within the public official's or agency's power to provide voluntarily on request.

(b) If an individual fails to obey the subpoena or obeys the subpoena but refuses to testify when required concerning any matter under examination or investigation, the secretary may petition the superior court of the county where the examination or investigation is being conducted for enforcement of the subpoena. The petition shall be accompanied by a copy of the subpoena and proof of service, and shall set forth in what specific manner the subpoena has not been complied with, and shall ask an order of the court to compel the witness to appear and testify before the agency. The court, upon such petition, shall enter an order directing the witness to appear before the court at a time and place to be fixed in such order and at that time and place show cause why the witness has not responded to the subpoena or has refused to testify. A copy of the order shall be served upon the witness. If it appears to the court that the subpoena was properly issued and that the particular questions which the witness refuses to answer are reasonable and relevant, the court shall enter an order that the witness appear at the time and place fixed in the order and testify or produce the required papers. On failing to obey the order, the witness shall be dealt with as for contempt of court.

(c) Subpoenas issued under this subsection shall be served in the manner prescribed for service of a summons in a civil action or by certified mail, return receipt requested. The return receipt is prima facie evidence of service.

Sec. 22. Section 74.04.290, chapter 26, Laws of 1959 as last amended by section 2, chapter 171, Laws of 1979 ex. sess. and RCW 74.04.290 are each amended to read as follows:

In carrying out any of the provisions of this title, the secretary, county administrators, hearing examiners, or other duly authorized officers of the department shall have power to subpoena witnesses, administer oaths, take testimony and compel the production of such papers, books, records and documents as they may deem relevant to the performance of their duties; ~~but no officer or agency mentioned in this section shall have power to compel the production of any papers, books, records or documents which are in the custody of any other such officer or agency and within his or its power to provide voluntarily on request.~~

~~If an individual fails to obey the subpoena or obeys the subpoena but refuses to testify when required concerning any matter under examination or investigation or the subject of a hearing, the officer or agency issuing the subpoena may petition the superior court of the county where the examination or investigation is being conducted for enforcement of the subpoena. The petition shall be accompanied by a copy of the subpoena and proof of service, and shall set forth in what specific manner the subpoena has not been complied with, and shall ask an order of the court to compel the witness to appear and testify before the agency. The court upon such petition shall enter an order directing the witness to appear before the court at a time and place to be fixed in such order and then and there to show cause why he has not responded to the subpoena or has refused to testify. A copy of the order shall be served upon the witness. If it appears to the court that the subpoena was properly issued and that the particular questions which the witness refuses to answer are reasonable and relevant the court shall enter an order that the witness appear at the time and place fixed in the order and testify or produce the required papers, and on failing to obey said order the witness shall be dealt with as for contempt of court.~~

~~The subpoena shall be served in the same manner prescribed for the service of a summons in a civil action or by certified mail, return receipt requested. The receipt shall be prima facie evidence of service.~~ Subpoenas issued under this power shall be under RCW 43.20A.605.

Sec. 23. Section 10, chapter 152, Laws of 1979 ex. sess. and RCW 74.09.290 are each amended to read as follows:

The secretary of the department of social and health services or his authorized representative shall have the authority to:

(1) Conduct audits and investigations of providers of medical and other services furnished pursuant to this chapter, except that the Washington state medical disciplinary board shall generally serve in an advisory capacity to the secretary in the conduct of audits or investigations of physicians. In the conduct of such audits or investigations, the secretary may examine only those records or portions thereof, including patient records, for which services were rendered by a health care provider and reimbursed by the department, notwithstanding the provisions of RCW 5.60.060, 18.53.200, 18.83.110, or any other statute which may make or purport to make such records privileged or confidential: PROVIDED, That no original patient records shall be removed from the premises of the health care provider, and that the disclosure of any records or information by the department of social and health services is prohibited and constitutes a violation of RCW 42.22.040, unless such disclosure is directly connected to the official purpose for which the records or information were obtained: PROVIDED FURTHER, That the disclosure of patient information as required under this section shall not subject any physician or other health services provider to any liability for breach of any confidential relationship between the provider and the patient, but no evidence resulting from such disclosure may be used in any civil, administrative, or criminal proceeding against the patient unless a waiver of the applicable evidentiary privilege is obtained: PROVIDED FURTHER, That the secretary shall destroy all copies of patient medical records in their possession upon completion of the audit, investigation or proceedings;

(2) ~~Issue subpoenas, compel the attendance of witnesses, administer oaths, certify to official acts, take depositions within and without the state of Washington as now provided by law, and compel the production of pertinent books, payrolls, accounts, papers, records, documents, and testimony relevant to such investigation, if a person in attendance before such secretary or his authorized representative refuses, without reasonable cause, to be examined or to answer a legal and pertinent question, or to produce a book or paper or other evidence when ordered to do so by the secretary or his authorized representative, said secretary or his authorized representative may apply to the judge of the superior court of the county where such person is in attendance, upon affidavit, for an order returnable in not less than two nor more than five days, directing such person to show cause before such judge, or any other judge of such county, why he should not produce such records. Upon the hearing of such order, if the judge shall determine that such person has refused, without reasonable cause or legal excuse, to be examined or to answer a legal or pertinent question, or to produce a book or paper which he was ordered to bring or produce, he may forthwith punish the offender for contempt of court. Subpoenas shall be served and witness fees and mileage paid as allowed in civil cases in the superior courts of this state;~~

(3) Approve or deny applications to participate as a provider of services furnished pursuant to this chapter;

~~((4))~~ (3) Terminate or suspend eligibility to participate as a provider of services furnished pursuant to this chapter; and

~~((5))~~ (4) Adopt, promulgate, amend, and rescind administrative rules and regulations, in accordance with the administrative procedure act, chapter 34.04 RCW, to carry out the policies and purposes of RCW 74.09.200 through 74.09.290.

Sec. 24. Section 5, chapter 228, Laws of 1979 ex. sess. and RCW 70.124.050 are each amended to read as follows:

Upon the receipt of a report concerning the possible occurrence of abuse or neglect, it is the duty of the law enforcement agency and the department to commence an investigation within twenty-four hours of such receipt and, where appropriate, submit a report to the appropriate prosecuting attorney. The local prosecutor may seek a restraining order to prohibit continued patient abuse. In all cases investigated by the department a report to the complainant shall be made by the department.

NEW SECTION. Sec. 25. There is added to chapter 43.20A RCW a new section to read as follows:

The secretary may appoint one individual to serve as chief executive officer, administrator, or superintendent for more than one facility or institution of the department where one or both facilities or institutions are required by law to have a chief executive officer, administrator, or superintendent. This section, however, shall not apply to RCW 72.40.020.

Sec. 26. Section 72.01.060, chapter 28, Laws of 1959 as amended by section 146, chapter 141, Laws of 1979 and RCW 72.01.060 are each amended to read as follows:

~~((It shall be the duty of the secretary to appoint a chief executive officer for each public institution under his control, who shall devote his entire time to the duties of his office and whose title shall be "superintendent". Said appointment shall be for a term of four years, but the appointee may be removed by the secretary in his discretion.~~

No person shall be eligible for appointment as superintendent of a hospital for the mentally ill unless he has had three or more years experience as a practicing physician after receiving his diploma or license.)) The secretary shall appoint the chief executive officers necessary to manage one or more of the public facilities operated by the department. This section, however, shall not apply to RCW 72.40.020.

Except as otherwise provided in this title, the ~~((superintendent))~~ chief executive officer of each institution may appoint all assistants and employees required for the management of the institution placed in his charge, the number of such assistants and employees to be determined and fixed by the secretary. The ~~((superintendent))~~ chief executive officer of any institution may, at his pleasure, discharge any person therein employed. The secretary shall investigate all complaints made against the ~~((superintendent))~~ chief executive officer of any institution and also any complaint against any other officer or employee thereof, if it has not been investigated and reported upon by the ~~((superintendent))~~ chief executive officer.

The secretary may, after investigation, for good and sufficient reasons, order the discharge of any subordinate officer or employee of an institution.

Each ~~((superintendent))~~ chief executive officer shall receive such salary as is fixed by the secretary, who shall also fix the compensation of other officers and the employees of each institution. Such latter compensation shall be fixed on or before the first day of April of each year and no change shall be made in the compensation, so fixed, during the twelve month((s)) period commencing April 1st.

Sec. 27. Section 3, chapter 165, Laws of 1963 as amended by section 224, chapter 141, Laws of 1979 and RCW 72.19.030 are each amended to read as follows:

The superintendent of the correctional institution established by this chapter shall be appointed by the secretary. ~~((The superintendent shall have such administrative and correctional experience and possess such qualifications as shall be determined by the state personnel board subject to the advice and approval of the secretary.))~~

Sec. 28. Section 72.23.030, chapter 28, Laws of 1959 as amended by section 2, chapter 56, Laws of 1969 and RCW 72.23.030 are each amended to read as follows:

The superintendent of a state hospital ~~((shall be a skillful practicing physician; he shall have control of the medical, therapeutic, and dietetic treatment of the patients, which shall include authority to cause the performance of all necessary surgery. The superintendent.))~~ subject to rules ~~((and regulations))~~ of the department, shall have control of the internal government and economy of a state hospital and shall appoint and direct all subordinate officers and employees. If the superintendent is not a psychiatrist, clinical care shall be under the direction of a qualified psychiatrist.

Sec. 29. Section 3, chapter 18, Laws of 1967 ex. sess. as amended by section 55, chapter 80, Laws of 1977 ex. sess. and RCW 72.30.030 are each amended to read as follows:

The superintendent of a state school shall have a demonstrated history of knowledge, understanding, and compassion for the needs, treatment, and training of developmentally disabled persons.

The superintendent of the Interlake School (~~(for handicapped persons)~~) shall be appointed by the secretary (~~(and shall have such administrative experience and possess such qualifications as shall be determined by the state personnel board subject to the advice and approval of the secretary)~~).

Sec. 30. Section 72.33.040, chapter 28, Laws of 1959 as last amended by section 12, chapter 217, Laws of 1979 ex. sess. and RCW 72.33.040 are each amended to read as follows:

~~((The superintendent of a state school appointed after June 12, 1957 shall be a person of good character, and either a physician licensed to practice in the state of Washington or has attained a minimum of a master's degree from an accredited college or university in psychology, social science, or education, and in addition shall have had suitable experience in an administrative or professional capacity in the residential care, treatment and training of handicapped persons.))~~

The superintendent of a state school shall have a demonstrated history of knowledge, understanding, and compassion for the needs, treatment, and training of developmentally disabled persons.

The superintendent shall have custody of all residents and control of the medical, educational, therapeutic and dietetic treatment of all persons resident in such state school, except for the program of education provided pursuant to RCW 28A.58.772 through 28A.58.776, as now or hereafter amended, which the school district conducting the program shall have control of and joint custody of such residents in connection therewith: PROVIDED, That the superintendent shall cause surgery to be performed on any resident only upon gaining the consent of a parent, guardian, or limited guardian as authorized, except, if after reasonable effort to locate the parents, guardian, or limited guardian as authorized, and the health of such resident is certified by the attending physician to be jeopardized unless such surgery is performed, the required consent shall not be necessary.

The superintendent shall have control of the internal government and economy of the state school and shall appoint and direct all subordinate officers and employees: PROVIDED, That the powers and duties conferred upon the superintendent shall be subject to the rules and regulations of the department and the state personnel board.

The superintendent shall have authority to engage the residents of the state school in beneficial work programs but shall not abuse such therapy by excessive hours or for purposes of discipline or punishment.

NEW SECTION. Sec. 31. There is added to chapter 74.20 RCW a new section to read as follows:

If the legal custodian has been wrongfully deprived of physical custody, the department is authorized to excuse the custodian from support payments for a child or children receiving or on whose behalf public assistance was provided under chapter 74.12 RCW.

Sec. 32. Section 74.04.060, chapter 26, Laws of 1959 as amended by section 1, chapter 152, Laws of 1973 and RCW 74.04.060 are each amended to read as follows:

For the protection of applicants and recipients, the department and the county offices and their respective officers and employees are prohibited, except as hereinafter provided, from disclosing the contents of any records, files, papers and communications, except for purposes directly connected with the administration of the programs of this title. In any judicial proceeding, except such proceeding as is directly concerned with the administration of these programs, such records, files, papers and communications, and their contents, shall be deemed privileged communications and except for the right of any individual to inquire of the office whether a named individual is a recipient of welfare assistance and such person shall be entitled to an affirmative or negative answer. However, upon written request of a parent who has been awarded visitation rights in an action for divorce or separation or any parent with legal custody of the child, the department shall disclose to him or her the current address and location of his or her natural or adopted children. Information supplied to a parent by the department shall be used only for purposes directly related to the enforcement of the visitation and custody provisions of the court order of separation or decree of divorce. No parent shall disclose such information to any other person except for the purpose of enforcing visitation provisions of the said order or decree.

The county offices shall maintain monthly at their offices a report showing the names and addresses of all recipients in the county receiving public assistance under this title, together with the amount paid to each during the preceding month.

The provisions of this section shall not apply to duly designated representatives of approved private welfare agencies, public officials, members of legislative interim committees and advisory committees when performing duties directly connected with the administration of this title, such as regulation and investigation directly connected therewith: PROVIDED, HOWEVER, That any information so obtained by such persons or groups shall be treated with such degree of confidentiality as is required by the federal social security law.

It shall be unlawful, except as provided in this section, for any person, body, association, firm, corporation or other agency to solicit, publish, disclose, receive, make use of, or to authorize, knowingly permit, participate in or acquiesce in the use of any lists or names for

commercial or political purposes of any nature. The violation of this section shall be a gross misdemeanor.

NEW SECTION. Sec. 33. There is added to chapter 74.04 RCW a new section to read as follows:

(1) The department and the office of administrative hearings shall insure that bilingual services are provided to non-English speaking applicants and recipients. The services shall be provided to the extent necessary to assure that non-English speaking persons are not denied, or unable to obtain or maintain, services or benefits because of their inability to speak English.

(2) If the number of non-English speaking applicants or recipients sharing the same language served by any community service office client contact job classification equals or exceeds fifty percent of the average caseload of a full-time position in such classification, the department shall, through attrition, employ bilingual personnel to serve such applicants or recipients.

(3) Regardless of the applicant or recipient caseload of any community service office, each community service office shall ensure that bilingual services required to supplement the community service office staff are provided through contracts with interpreters, local agencies, or other community resources.

(4) Initial client contact materials shall inform clients in all primary languages of the availability of interpretation services for non-English speaking persons. Basic informational pamphlets shall be translated into all primary languages.

(5) To the extent all written communications directed to applicants or recipients are not in the primary language of the applicant or recipient, the department and the office of administrative hearings shall include with the written communication a notice in all primary languages of applicants or recipients describing the significance of the communication and specifically how the applicants or recipients may receive assistance in understanding, and responding to if necessary, the written communication. The department shall assure that sufficient resources are available to assist applicants and recipients in a timely fashion with understanding, responding to, and complying with the requirements of all such written communications.

(6) As used in this section, "primary languages" includes but is not limited to Spanish, Vietnamese, Cambodian, Laotian, and Chinese.

(7) The department shall report to the legislature by July 1, 1984, on the cost-effectiveness of translating all written forms, notices, and other documents provided to non-English speaking applicants or recipients into primary languages.

NEW SECTION. Sec. 34. There is added to chapter 74.04 RCW a new section to read as follows:

No payment may be collected by the department for residential care if the collection will reduce the income as defined in RCW 74.04.005 of the head of household and remaining dependents below one hundred percent of the need standard for aid to families with dependent children.

NEW SECTION. Sec. 35. There is added to chapter 74.04 RCW a new section to read as follows:

(1) The secretary is authorized to expend state funds in amounts necessary to continue federal aid assistance to clients who are eligible for such assistance except for temporary interruption in availability of federal funds when:

(a) Nonavailability of federal funds is the result of temporary expiration of appropriations or other factors and not the result of legislative changes in program structure, existence, or eligibility conditions;

(b) The secretary finds that federal funding may reasonably be expected to resume promptly and that federal repayment to the state for such funds advanced will cover what would otherwise have been the federal contribution to the cost of the assistance; and

(c) Expenditures are in accordance with RCW 43.88.070.

(2) The provisions of this section shall terminate on June 30, 1985.

Sec. 36. Section 1, chapter 6, Laws of 1981 1st ex. sess. as amended by section 5, chapter 10, Laws of 1981 2nd ex. sess. and RCW 74.04.005 are each amended to read as follows:

For the purposes of this title, unless the context indicates otherwise, the following definitions shall apply:

(1) "Public assistance" or "assistance"—Public aid to persons in need thereof for any cause, including services, medical care, assistance grants, disbursing orders, work relief, general assistance and federal-aid assistance.

(2) "Department"—The department of social and health services.

(3) "County or local office"—The administrative office for one or more counties or designated service areas.

(4) "Director" or "secretary" means the secretary of social and health services.

(5) "Federal-aid assistance"—The specific categories of assistance for which provision is made in any federal law existing or hereafter passed by which payments are made from the



federal government to the state in aid or in respect to payment by the state for public assistance rendered to any category of needy persons for which provision for federal funds or aid may from time to time be made, or a federally administered needs-based program.

(6) (a) "General assistance"—Aid to ~~((unemployable))~~ persons in need who:

~~((a))~~ (i) Are not eligible to receive federal-aid assistance, other than food stamps and medical assistance, by reason other than resource and income eligibility; and

~~((b))~~ (ii) Are either:

(A) Pregnant: PROVIDED. That during any period in which an aid for dependent children employable program is not in operation, only those pregnant women who are categorically eligible for medicaid are eligible for general assistance; or

(B) Incapacitated from gainful employment by reason of((:

(i)) bodily or mental infirmity((:

(ii) Participation in an approved drug or alcoholism treatment program; or

(iii) Being sixty-five years of age, or over: PROVIDED. That such incapacity in (b) (i) through (iii) of this subsection, as determined by the department, will last at least sixty days from the date of application, except that persons in approved alcoholism and/or drug programs may be eligible for less than a sixty-day period in accordance with the terms of their treatment plan) that will likely continue for a minimum of sixty days as determined by the department: PROVIDED. That persons in approved alcoholism or drug programs may be eligible for less than a sixty-day period in accordance with their plans; or

(C) Eligible for supplemental security income and whose need, as defined in this section, is not met by such supplemental security income grant because of separation from a spouse.

(b) General assistance shall be provided only to persons who are not members of assistance units receiving federal aid assistance, except as provided in subsection (6)(a)(ii)(A) and (C) of this section, and will accept available services which can reasonably be expected to enable the person to work or reduce the need for assistance unless there is good cause to refuse. Failure to accept such services shall result in termination until the person agrees to cooperate in accepting such services and subject to the following maximum periods of ineligibility after reapplication:

(i) First failure: One week;

(ii) Second failure within six months: One month;

(iii) Third and subsequent failure within one year: Two months.

(7) "Applicant"—Any person who has made a request, or on behalf of whom a request has been made, to any county or local office for assistance.

(8) "Recipient"—Any person receiving assistance and in addition those dependents whose needs are included in the recipient's assistance.

(9) "Standards of assistance"—The level of income required by an applicant or recipient to maintain a level of living specified by the department.

(10) "Resource"—Any asset, tangible or intangible, owned by or available to the applicant at the time of application, which can be applied toward meeting the applicant's need, either directly or by conversion into money or its equivalent: PROVIDED, That an applicant may retain the following described resources and not be ineligible for public assistance because of such resources.

(a) A home, which is defined as real property owned and used by an applicant or recipient as a place of residence, together with a reasonable amount of property surrounding and contiguous thereto, which is used by and useful to the applicant. Whenever a recipient shall cease to use such property for residential purposes, either for himself or his dependents, the property shall be considered as income which can be made available to meet need, and if the recipient or his dependents absent themselves from the home for a period of ninety consecutive days such absence, unless due to hospitalization or health reasons or a natural disaster, shall raise a rebuttable presumption of abandonment: PROVIDED, That if in the opinion of three physicians the recipient will be unable to return to the home during his lifetime, and the home is not occupied by a spouse or dependent children or disabled sons or daughters, such property shall be considered as income which can be made available to meet need.

(b) Household furnishings and personal effects and other personal property having great sentimental value to the applicant or recipient, as limited by the department consistent with limitations on resources and exemptions for federal aid assistance.

(c) A motor vehicle, other than a motor home, used and useful having an equity value not to exceed one thousand five hundred dollars.

(d) All other resources, including any excess of values exempted, not to exceed one thousand dollars or other limit as set by the department, to be consistent with limitations on resources and exemptions necessary for federal aid assistance.

(e) Applicants for or recipients of general assistance may retain the following described resources in addition to exemption for a motor vehicle or home and not be ineligible for public assistance because of such resources:

(i) Household furnishings, personal effects, and other personal property having great sentimental value to the applicant or recipient;

(ii) Term and burial insurance for use of the applicant or recipient;

(iii) Life insurance having a cash surrender value not exceeding one thousand five hundred dollars; and

(iv) Cash, marketable securities, and any excess of values above one thousand five hundred dollars equity in a vehicle and above one thousand five hundred dollars in cash surrender value of life insurance, not exceeding one thousand five hundred dollars for a single person or two thousand two hundred fifty dollars for a family unit of two or more. The one thousand dollar limit in subsection (10)(d) of this section does not apply to recipients of or applicants for general assistance.

(f) If an applicant for or recipient of public assistance possesses property and belongings in excess of the ceiling value, such value shall be used in determining the need of the applicant or recipient, but the department may exempt resources or income when the income and resources are determined necessary to the applicant's or recipient's restoration to independence, to decrease the need for public assistance, or to aid in rehabilitating the applicant or recipient or a dependent of the applicant or recipient.

(11) "Income"—All appreciable gains in real or personal property (cash or kind) or other assets, which are received by or become available for use and enjoyment by an applicant or recipient during the month of application or after applying for or receiving public assistance: PROVIDED, That the department may by rule and regulation exempt income received by an applicant for or recipient of public assistance which can be used by him to decrease his need for public assistance or to aid in rehabilitating him or his dependents, but such exemption shall not, unless otherwise provided in this title, exceed the exemptions of resources granted under this chapter to an applicant for public assistance: PROVIDED FURTHER, That in determining the amount of assistance to which an applicant or recipient of aid to families with dependent children is entitled, the department is hereby authorized to disregard as a resource or income the earned income exemptions consistent with federal requirements: PROVIDED FURTHER, The department may permit the above exemption of earnings of a child to be retained by such child to cover the cost of special future identifiable needs even though the total exceeds the exemptions or resources granted to applicants and recipients of public assistance, but consistent with federal requirements. In formulating rules and regulations pursuant to this chapter, the department shall define income and resources and the availability thereof, consistent with federal requirements. All resources and income not specifically exempted, and any income or other economic benefit derived from the use of, or appreciation in value of, exempt resources, shall be considered in determining the need of an applicant or recipient of public assistance.

(12) "Need"—The difference between the applicant's or recipient's standards of assistance for himself and the dependent members of his family, as measured by the standards of the department, and value of all nonexempt resources and nonexempt income received by or available to the applicant or recipient and the dependent members of his family.

(13) In the construction of words and phrases used in this title, the singular number shall include the plural, the masculine gender shall include both the feminine and neuter genders and the present tense shall include the past and future tenses, unless the context thereof shall clearly indicate to the contrary.

Sec. 37. Section 3, chapter 10, Laws of 1973 2nd ex. sess. as last amended by section 7, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.04.620 are each amended to read as follows:

(1) The department is authorized to establish a program of state supplementation to the national program of supplemental security income consistent with Public Law 92-603 and Public Law 93-66 to those persons who are in need thereof in accordance with eligibility requirements established by the department.

(2) The department is authorized to establish reasonable standards of assistance and resource and income exemptions specifically for such program of state supplementation which shall be consistent with the provisions of the Social Security Act.

(3) The department is authorized to make payments to applicants for supplemental security income, pursuant to agreements as provided in Public Law 93-368, who are otherwise eligible for general assistance.

(4) Any agreement between the department and a supplemental security income applicant providing for the reimbursement of interim assistance to the department shall provide, if the applicant has been represented by an attorney, that twenty-five percent of the reimbursement received shall be withheld by the department and all or such portion thereof as has been approved as a fee by the United States department of health and human services shall be released directly to the applicant's attorney. The secretary may maintain such records as are deemed appropriate to measure the cost and effectiveness of such agreements and may make recommendations concerning the continued use of such agreements to the legislature.

Sec. 38. Section 4, chapter 10, Laws of 1981 2nd ex. sess. and RCW 74.04.770 are each amended to read as follows:

The department shall establish consolidated standards of need each ((~~biennium~~)) fiscal year which may vary by geographical areas, program, and family size, for aid to families with dependent children, refugee assistance, supplemental security income, and general assistance ((~~to unemployable persons~~)). Standards for aid to families with dependent children, refugee assistance, and general assistance ((~~to unemployable persons~~)) shall be based on

studies of actual living costs and generally recognized inflation indices and shall include reasonable allowances for shelter, fuel, food, transportation, clothing, household maintenance and operations, personal maintenance, and necessary incidentals. The standard of need ~~((shall))~~ may take into account the economies of joint living arrangements, but unless explicitly required by federal statute, there shall not be proration of any portion of assistance grants unless the amount of the grant standard is equal to the standard of need.

The department is authorized to establish rateable reductions and grant maximums consistent with federal law.

Payment level will be equal to need or a lesser amount if rateable reductions or grant maximums are imposed. In no case shall a recipient of supplemental security income receive a state supplement less than the minimum required by federal law.

The department may establish a separate standard for shelter provided at no cost.

Sec. 39, Section 17, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.08.541 are each amended to read as follows:

"Chore services," as used in this chapter, means services in performing light work and household and other personal tasks which eligible persons are unable to do for themselves because of frailty or handicapping conditions.

Persons eligible for services ~~((at no cost))~~ are adult ~~((recipients of supplemental security income and/or state supplementation and other))~~ individuals having ~~((income equal to or less than thirty percent of the state median income and))~~ resources less than a level determined by the department, and whose level of need for chore services and risk of being placed in a residential care facility have been determined by the department. Adult recipients of supplemental security income, state supplementation, or limited casualty program medical care as defined by RCW 74.09.010, are eligible for services at no cost. Other individuals are eligible for needed chore services at a reduced level based on their ability to purchase the services. The department shall develop a scale of reduced services in comparison to determined need so that recipient participation does not reduce income below thirty percent of the state median income. Subject to the availability of funds, the department shall develop a sliding scale of participation considering a portion of income between thirty percent and fifty percent of the state median income and all income above fifty percent of the state median income. Any scale of reduced service developed by the department shall maintain services as in effect on the effective date of this 1983 act to those persons below thirty percent of the state median income. However, the department is authorized to continue, without reduction, benefits provided to persons receiving chore services on the effective date of this 1983 act. Effort shall be made to obtain chore services from volunteer chore service providers for those individuals at risk of being placed in a residential care facility but eligible for five hours of chore services per month or less, rather than have those services provided by paid providers. Any individual at risk of being placed in a residential care facility but not eligible for chore services or eligible for a reduced level of service shall be referred to the volunteer chore service program where such program exists for needed hours or services not provided by the department. Individuals determined by the department to be eligible for adult protective services are eligible to receive emergency chore services without regard to income if the services are essential to, and a subordinate part of, the adult protective services plan. Emergency chore services under adult protective services shall be provided only until the emergent situation has stabilized, not to exceed ninety days.

~~((Those persons whose income is between thirty and forty percent of the state median income and whose level of need for chore services and risk of being placed in a residential care facility has been determined by the department are eligible for a reduced level of service based on their ability to purchase the services. The department shall develop a scale of reduced hours of service based on need and income level to be applied in these cases. Persons whose resources exceed the level determined by the department are not eligible for any reduced level service.~~

~~The department is authorized to provide chore services on a case-by-case basis to severely handicapped persons in need of attendant care whose income exceeds the criteria established in this section. Services may be provided for this purpose only to the extent necessary to allow the individual to remain in his or her own home, and no services may be authorized for more than ninety days at any one time. PROVIDED, That the department may not extend authorization for chore services to more than thirty persons at any one time whose income exceeds fifty-seven percent of the state median income.))~~

For clients whose chore services are authorized on an hourly basis, the department shall establish a monthly lid on chore service hours, which shall be allocated to the department's community service offices. This lid shall be established at a level set by the department. The department shall also establish a monthly rate lid to apply to clients whose chore services are authorized on a monthly rate basis.

Sec. 40, Section 74.12.010, chapter 26, Laws of 1959 as last amended by section 23, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.12.010 are each amended to read as follows:

For the purposes of the administration of aid to families with dependent children assistance, the term "dependent child" means any child in need under the age of eighteen years

who has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of the parent, and who is with his father, mother, grandmother, grandfather, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew, or niece, in a place of residence maintained by one or more of such relatives as his or their homes. The term a "dependent child" shall, notwithstanding the foregoing, also include a child who would meet such requirements except for his removal from the home of a relative specified above as a result of a judicial determination that continuation therein would be contrary to the welfare of such child, for whose placement and care the state department of social and health services or the county office is responsible, and who has been placed in a licensed or approved child care institution or foster home as a result of such determination and who: (1) Was receiving an aid to families with dependent children grant for the month in which court proceedings leading to such determination were initiated; or (2) would have received aid to families with dependent children for such month if application had been made therefor; or (3) in the case of a child who had been living with a specified relative within six months prior to the month in which such proceedings were initiated, would have received aid to families with dependent children for such month if in such month he had been living with such a relative and application had been made therefor, as authorized by the Social Security Act: PROVIDED, That to the extent authorized by the legislature in the biennial appropriations act and to the extent that matching funds are available from the federal government, aid to families with dependent children assistance shall be available to any child in need who has been deprived of parental support or care by reason of the unemployment of a parent or step-parent liable under this chapter for support of the child.

"Aid to families with dependent children" means money payments, services, and remedial care with respect to a dependent child or dependent children and the needy parent or relative with whom the child lives and may include the spouse of such relative if living with him and if such relative is the child's parent and the child is a dependent child by reason of the physical or mental incapacity or unemployment of a parent or stepparent liable under this chapter for the support of such child.

NEW SECTION. Sec. 41. There is added to chapter 74.04 RCW a new section to read as follows:

(1) The department shall provide a community work and training program for recipients of aid for dependent children in accordance with RCW 74.04.390 through 74.04.470 beginning no later than January 1, 1984. The program shall be designed to:

(a) Provide community work and training services to a minimum of two hundred recipients in each biennium;

(b) Provide community work and training experience which will enhance the recipient's ability to obtain employment;

(c) Provide useful assistance to public and private nonprofit agencies which would otherwise not be provided by paid employees;

(d) Coordinate with other public or private employment programs to assure maximum employment opportunities for program participants;

(e) Utilize the effective components of the community work experience pilot program.

NEW SECTION. Sec. 42. There is added to chapter 74.04 RCW a new section to read as follows:

(1) The department of social and health services shall apply for a waiver from the federal government to implement a community work and training program for recipients of food stamps in accordance with RCW 74.04.390 through 74.04.470. The program shall be established in two counties, one east and one west of the Cascade Mountains, and shall serve a minimum of one hundred recipients in each fiscal year.

(2) Any member of a household participating in the food stamp program who is not exempt under subsection (3) of this section may be required to participate in the community work and training program required in subsection (1) of this section in order to continue to be eligible for food stamps.

(3) No household member shall be required to participate in the community work and training program who is:

(a) Determined to have good cause to refuse employment under chapter 74.23 RCW;

(b) Under eighteen or over sixty years of age;

(c) A parent or other member of the household responsible for the care of a child under six or of an incapacitated person;

(d) Employed at least twenty hours a week or participating in another work and training program under this title; or

(e) A regular participant in a drug addiction or alcohol training program.

(4) The department shall adopt any rules necessary to administer the community work and training program for food stamp recipients consistent with this title and with federal statutes and regulations.

Sec. 43. Section 2, chapter 161, Laws of 1979 ex. sess. as last amended by section 2, chapter \_\_\_\_\_ (SB 4204), Laws of 1983 and RCW 70.38.025 are each amended to read as follows:

When used in this chapter, the terms defined in this section shall have the meanings indicated.

(1) "Board of health" means the state board of health created pursuant to chapter 43.20 RCW.

(2) "Capital expenditure" is an expenditure, including a force account expenditure (i.e., an expenditure for a construction project undertaken by a facility as its own contractor) which, under generally accepted accounting principles, is not properly chargeable as an expense of operation or maintenance. Where a person makes an acquisition under lease or comparable arrangement, or through donation, which would have required review if the acquisition had been made by purchase, such expenditure shall be deemed a capital expenditure. Capital expenditures include donations of equipment or facilities to a health care facility which if acquired directly by such facility would be subject to certificate of need review under the provisions of this chapter and transfer of equipment or facilities for less than fair market value if a transfer of the equipment or facilities at fair market value would be subject to such review. The cost of any studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the acquisition, improvement, expansion, or replacement of any plant or equipment with respect to which such expenditure is made shall be included in determining the amount of the expenditure.

(3) "Council" means the state health coordinating council created in RCW 70.38.055 and described in Public Law 93-641.

(4) "Department" means the state department of social and health services.

(5) "Expenditure minimum" means, for the purposes of the certificate of need program, one million dollars adjusted by the department by rule to reflect changes in the United States department of commerce composite construction cost index; or a lesser amount required by federal law and established by the department by rule.

(6) "Federal law" means Public Law 93-641, as amended, or its successor.

(7) "Health care facility" means hospices, hospitals, psychiatric hospitals, tuberculosis hospitals, ~~((alcoholism hospitals;))~~ nursing homes, kidney disease treatment centers, ambulatory surgical facilities, rehabilitation facilities, and home health agencies, and includes such facilities when owned and operated by the state or by a political subdivision or instrumentality of the state and such other facilities as required by federal law and implementing regulations, but does not include Christian Science sanatoriums operated, listed, or certified by the First Church of Christ Scientist, Boston, Massachusetts. In addition, the term does not include any nonprofit hospital: (a) Which is operated exclusively to provide health care services for children; (b) which does not charge fees for such services; (c) whose rate reviews are waived by the state hospital commission; and (d) if not contrary to federal law as necessary to the receipt of federal funds by the state.

(8) "Health maintenance organization" means a public or private organization, organized under the laws of the state, which:

(a) Is a qualified health maintenance organization under Title XIII, section 1310(d) of the Public Health Services Act; or

(b) (i) Provides or otherwise makes available to enrolled participants health care services, including at least the following basic health care services: Usual physician services, hospitalization, laboratory, x-ray, emergency, and preventive services, and out-of-area coverage; (ii) is compensated (except for copayments) for the provision of the basic health care services listed in (b)(i) to enrolled participants by a payment which is paid on a periodic basis without regard to the date the health care services are provided and which is fixed without regard to the frequency, extent, or kind of health service actually provided; and (iii) provides physicians' services primarily (A) directly through physicians who are either employees or partners of such organization, or (B) through arrangements with individual physicians or one or more groups of physicians (organized on a group practice or individual practice basis).

(9) "Health services" means clinically related (i.e., preventive, diagnostic, curative, rehabilitative, or palliative) services and includes alcoholism, drug abuse, and mental health services and as defined in federal law.

(10) "Health service area" means a geographic region appropriate for effective health planning which includes a broad range of health services and a population of at least four hundred fifty thousand persons.

(11) "Institutional health services" means health services provided in or through health care facilities and entailing annual operating costs of at least five hundred thousand dollars adjusted by the department by rule to reflect changes in the United States department of commerce composite construction cost index; or a lesser amount required by federal law and established by the department by rule: PROVIDED, That no new health care facility may be initiated as an institutional health service.

(12) "Major medical equipment" means medical equipment which is used for the provision of medical and other health services and which costs in excess of one million dollars, adjusted by the department by rule to reflect changes in the United States department of commerce composite construction cost index; or a lesser amount required by federal law and established by the department by rule; except that such term does not include medical equipment

acquired by or on behalf of a clinical laboratory to provide clinical laboratory services if the clinical laboratory is independent of a physician's office and a hospital and it has been determined under Title XVIII of the Social Security Act to meet the requirements of paragraphs (10) and (11) of section 1861(s) of such act:

(13) "Person" means an individual, a trust or estate, a partnership, a corporation (including associations, joint stock companies, and insurance companies), the state, or a political subdivision or instrumentality of the state, including a municipal corporation or a hospital district.

(14) "Provider" generally means a health care professional or an organization, institution, or other entity providing health care but the precise definition for this term shall be established by rule of the department, consistent with federal law.

(15) "Public health" means the level of well-being of the general population; those actions in a community necessary to preserve, protect, and promote the health of the people for which government is responsible; and the governmental system developed to guarantee the preservation of the health of the people.

(16) "Regional health council" means a public regional planning body or a private non-profit corporation which is organized and operated in a manner that is consistent with the laws of the state and which is capable of performing each of the functions described in RCW 70.38-.085. A regional health council shall have a governing body for health planning which is composed of a majority (but not more than sixty percent of the members) of persons who are residents of the health service area served by the entity; who are consumers of health care; who are broadly representative of the social, economic, linguistic, and racial populations, and geographic areas of the health service area, and major purchasers of health care; and who are not, nor within the twelve months preceding appointment have been, providers of health care. The remainder of the members shall be residents of the health service area served by the agency who are providers of health care.

(17) "Regional health plan" means a document which provides at least a statement of health goals and priorities for the health service area. In addition, it sets forth the number, type, and distribution of health facilities, services, and manpower needed within the health service area to meet the goals of the plan.

(18) "State health plan" means a document developed in accordance with RCW 70.38.065.

NEW SECTION. Sec. 44. Section 45, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.902 are each repealed.

NEW SECTION. Sec. 45. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 277, Laws of 1959, section 216, chapter 141, Laws of 1979 and RCW 72.18.010;

(2) Section 4, chapter 277, Laws of 1959, section 217, chapter 141, Laws of 1979 and RCW 72.18.040;

(3) Section 5, chapter 277, Laws of 1959, section 218, chapter 141, Laws of 1979 and RCW 72.18.050;

(4) Section 6, chapter 277, Laws of 1959, section 219, chapter 141, Laws of 1979 and RCW 72.18.060;

(5) Section 7, chapter 277, Laws of 1959, section 220, chapter 141, Laws of 1979 and RCW 72.18.070; and

(6) Section 8, chapter 277, Laws of 1959, section 221, chapter 141, Laws of 1979 and RCW 72.18.080.

NEW SECTION. Sec. 46. 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 "services;" strike the remainder of the title and insert "amending section 6, chapter 157, Laws of 1973 1st ex. sess. as last amended by section 10, chapter ... (SSB 3782), Laws of 1983 and RCW 26.09.060; amending section 10, page 452, Laws of 1873 as last amended by section 1, chapter 121, Laws of 1969 ex. sess. and RCW 26.16.200; amending section 2, chapter 161, Laws of 1979 ex. sess. as last amended by section 2, chapter ... (SB 4204), Laws of 1983 and RCW 70.38.025; amending section 12, chapter 164, Laws of 1971 ex. sess. and RCW 74.20A.120; amending section 25, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.250; amending section 7, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.060; amending section 10, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.090; amending section 11, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.100; amending section 14, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.130; amending section 19, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.180; amending section 21, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.200; amending section 21, chapter 5, Laws of 1961 ex. sess. as amended by section 38, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 70.58-.095; amending section 13, chapter 206, Laws of 1963 as amended by section 370, chapter 141, Laws of 1979 and RCW 74.20.280; amending section 28A.10.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 11, chapter 151, Laws of 1979 and RCW 28A.10.080; amending section 6, chapter 224, Laws of 1982 and RCW 71.20.016; amending section 2, chapter 102, Laws of 1967 ex. sess. as amended by section 47, chapter 141, Laws of 1979 and RCW 43.20A.605; amending section 74.04.290, chapter 26, Laws of 1959 as last amended by section 2, chapter

171. Laws of 1979 ex. sess. and RCW 74.04.290; amending section 10, chapter 152, Laws of 1979 ex. sess. and RCW 74.09.290; amending section 5, chapter 228, Laws of 1979 ex. sess. and RCW 70.124.050; amending section 72.01.060, chapter 28, Laws of 1959 as amended by section 146, chapter 141, Laws of 1979 and RCW 72.01.060; amending section 3, chapter 165, Laws of 1963 as amended by section 224, chapter 141, Laws of 1979 and RCW 72.19.030; amending section 72.23.030, chapter 28, Laws of 1959 as amended by section 2, chapter 56, Laws of 1969 and RCW 72.23.030; amending section 3, chapter 18, Laws of 1967 ex. sess. as amended by section 55, chapter 80, Laws of 1977 ex. sess. and RCW 72.30.030; amending section 72.33.040, chapter 28, Laws of 1959 as last amended by section 12, chapter 217, Laws of 1979 ex. sess. and RCW 72.33.040; amending section 74.04.060, chapter 26, Laws of 1959 as amended by section 1, chapter 152, Laws of 1973 and RCW 74.04.060; amending section 1, chapter 6, Laws of 1981 1st ex. sess. as amended by section 5, chapter 10, Laws of 1981 2nd ex. sess. and RCW 74.04.005; amending section 3, chapter 10, Laws of 1973 2nd ex. sess. as last amended by section 7, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.04.620; amending section 4, chapter 10, Laws of 1981 2nd ex. sess. and RCW 74.04.770; amending section 17, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.08.541; amending section 74.12.010, chapter 26, Laws of 1959 as last amended by section 23, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.12.010; adding new sections to chapter 26.26 RCW; adding a new section to chapter 4.16 RCW; adding new sections to chapter 43.20A RCW; adding new sections to chapter 74.04 RCW; adding a new section to chapter 74.20 RCW; creating a new section; repealing section 45, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.902; repealing section 1, chapter 277, Laws of 1959, section 216, chapter 141, Laws of 1979 and RCW 72.18.010; repealing section 4, chapter 277, Laws of 1959, section 217, chapter 141, Laws of 1979 and RCW 72.18.040; repealing section 5, chapter 277, Laws of 1959, section 218, chapter 141, Laws of 1979 and RCW 72.18.050; repealing section 6, chapter 277, Laws of 1959, section 219, chapter 141, Laws of 1979 and RCW 72.18.060; repealing section 7, chapter 277, Laws of 1959, section 220, chapter 141, Laws of 1979 and RCW 72.18.070; and repealing section 8, chapter 277, Laws of 1959, section 221, chapter 141, Laws of 1979 and RCW 72.18.080."

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

Senator McManus moved that the Senate do concur in the House amendments to Reengrossed Substitute Senate Bill No. 3660.

#### MOTION

On motion of Senator Bottiger, further consideration of Reengrossed Substitute Senate Bill No. 3660 was deferred.

#### MESSAGE FROM THE HOUSE

May 7, 1983

Mr. President:

The House has passed SUBSTITUTE SENATE BILL NO. 4245 with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. There is added to chapter 70.105 RCW a new section to read as follows:

The legislature hereby declares that:

(1) The health and welfare of the people of the state depend on clean and pure environmental resources unaffected by hazardous waste contamination. Management and regulation of hazardous waste disposal should encourage practices which result in the least amount of waste being produced. Towards that end, the legislature finds that the following priorities in the management of hazardous waste are necessary and should be followed in order of descending priority as applicable:

- (a) Waste reduction;
  - (b) Waste recycling;
  - (c) Physical, chemical, and biological treatment;
  - (d) Incineration;
  - (e) Solidification/stabilization treatment;
  - (f) Landfill.
- (2) As used in this section:

(a) "Waste reduction" means reducing waste so that hazardous byproducts are not produced;

(b) "Waste recycling" means reusing waste materials and extracting valuable materials from a waste stream;

(c) "Physical, chemical, and biological treatment" means processing the waste to render it completely innocuous, produce a recyclable byproduct, reduce toxicity, or substantially reduce the volume of material requiring disposal;

(d) "Incineration" means reducing the volume or toxicity of wastes by use of an enclosed device using controlled flame combustion;

(e) "Solidification/stabilization treatment" means the use of encapsulation techniques to solidify wastes and make them less permeable or leachable; and

(f) "Landfill" means a disposal facility, or part of a facility, at which waste is placed in or on land and which is not a land treatment facility, surface impoundment, or injection well.

NEW SECTION. Sec. 2. There is added to chapter 70.105 RCW a new section to read as follows:

The department shall conduct a study to determine the best management practices for categories of waste for the priority waste management methods established in section 1 of this act, with due consideration in the course of the study to sound environmental management and available technology. As an element of the study, the department shall review methods that will help achieve the priority of section 1(1)(a) of this act, waste reduction. After conducting the study, the department shall prepare new rules or modify existing rules as appropriate to promote implementation of the priorities established in section 1 of this act for management practices which assure use of sound environmental management techniques and available technology. The preliminary study shall be completed by July 1, 1986, and the rules shall be adopted by July 1, 1987. The solid waste advisory committee shall review the studies and the new or modified rules and submit recommendations to the legislature by January 1, 1988, regarding policy options (such as fee incentives, disposal bans, etc.) that will be used to reduce the production of dangerous and extremely hazardous waste in Washington state.

NEW SECTION. Sec. 3. There is added to chapter 70.105 RCW a new section to read as follows:

Consistent with the purposes of sections 1 and 2 of this act, the department is authorized to promote the priority waste management methods listed in section 1 of this act by establishing or assisting in the establishment of: (1) Consultative services which, in conjunction with any business or industry requesting such service, study and recommend alternative waste management practices; and (2) technical assistance, such as a toll-free telephone service, to persons interested in waste management alternatives. Any person receiving such service or assistance may, in accordance with state law, request confidential treatment of information about their manufacturing or business practices.

NEW SECTION. Sec. 4. There is added to chapter 70.105 RCW a new section to read as follows:

All fines and penalties collected under this chapter shall be deposited in the hazardous waste control and elimination account, which is hereby created in the state general fund. Moneys in the account collected from fines and penalties shall be expended exclusively by the department of ecology for the purposes of providing technical services under section 3 of this act, subject to legislative appropriation.

NEW SECTION. Sec. 5. (1) There is appropriated to the department of ecology from the hazardous waste control and elimination account in the general fund for the biennium ending June 30, 1985, the sum of one hundred thousand dollars, or so much thereof as may be necessary, for the purposes of section 3 of this act.

(2) There is appropriated to the department of ecology from the general fund for the biennium ending June 30, 1985, the sum of two hundred thousand dollars, or so much thereof as may be necessary, for the purposes of section 2 of this act."

On page 1, line 1 of the title, after "wastes;" strike the remainder of the title and insert "adding new sections to chapter 70.105 RCW; and making appropriations."

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Hughes, the Senate did not concur in the House amendments to Substitute Senate Bill No. 4245 and asks the House for a conference thereon.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Substitute Senate Bill No. 4245, and the House amendments thereto: Senators Hughes, Haley and Talmadge.

#### MOTION

On motion of Senator Shinpoch, the Conference Committee appointments were confirmed.



## POINT OF INQUIRY

Senator Hayner: "Senator Bottiger, there a number of the members of our caucus that are quite concerned with the schedule that we have. This is the fifteenth day of the special session, many of them have to be back at their jobs or to their farms and so forth. We have still the operating budget, the revenue package--we just passed the capital budget which is significantly different from the House budget--and in fact it is back to very close to what the Governor proposed. We have not done anything about the timber tax. I understand there are problems with the boat tax. We have not dealt with all the concurrences. We have a dispute going between us on a number of these bills and we would like to know what kind of a schedule we can expect. When do you anticipate we will be out of here because we're really getting concerned."

Senator Bottiger: "Senator Hayner, nobody could be more concerned, nor more anxious than I to be out of here. Again, I would like to compliment you and your caucus for all the cooperation and the lack of dilatory tactics and refusal to bump that have occurred elsewhere on this campus. We are progressing. I told the caucus this morning that I have a list of things to do and I would like to get all the way through them. One of them is the gas tax, but apparently there has been some kind of a change in the boat count that might cause us to delay that another day, and I'm sure you and I have discussed that in private."

"We are proceeding. We had tried to get out of the way, today, the capital budget, the debt limit, at least one of the WPPSS bills and we have it written on our blackboard and you're invited to come into the caucus and to look at the schedule. As soon as we can get the votes to do all these things, we will be out of here."

Senator Hayner: "When will that be?"

Senator Bottiger: "Senator, at some point in time, I may come across the aisle and claim back the three votes that I was able to secure for you in the last session to get us out of here on time. I want to make sure that they're really critical and crucial and nothing like putting the sales tax on food."

Senator Hayner: "You will remember that we came across very early in the session and you had a great deal to do as what went into the budget and what the revenue package will be."

Senator Bottiger: "Mr. President, I don't ever remember being asked more than fifteen minutes ahead of time to vote for the sales tax on food."

There being no objection, the Senate resumed consideration of Engrossed House Bill No. 1094 and the pending motion by Senator Williams to adopt the Committee on Energy and Utilities amendment.

## MOTION

Senator Hansen moved that the following amendment by Senators Hansen and McCaslin to the Committee on Energy and Utilities amendment be adopted:

On page 2, after line 20, insert the following:

"NEW SECTION. Sec. 4. There is added to chapter 87.03 RCW a new section to read as follows:

In addition to other powers conferred by law, an irrigation district is authorized to construct, purchase, lease, or otherwise acquire, maintain, and operate a system for lighting public streets and highways and to enter into a contract or contracts with electric utilities, either public or private, to provide that service. However, no contract entered into by the board for providing street lighting for a period exceeding ten years is binding upon the district unless ratified by a majority vote of the electors of the district at an election called, held, and canvassed for that purpose in the same manner as provided by law for district bond elections.

The authority granted by this section applies only to an irrigation district that has begun the construction, purchase, lease, or acquisition of a street lighting system by January 1, 1984, or has entered into a contract for that service by that date.

Sec. 5. Section 5, page 674, Laws of 1889-90 and RCW 87.03.085 are each amended to read as follows:

Fifteen days before any election held under this ((act)) chapter, subsequent to the organization of any district, the secretary of the board of directors shall cause notices to be posted in three public places in each election precinct, of the time and place of holding the election, and shall also post a general notice of the same in the office of ((said)) the board, which shall be established and kept at some fixed place to be determined by ((said)) the board, specifying the polling places of each precinct. Prior to the time for posting the notices, the board must appoint for each precinct, from the electors thereof, one inspector and two judges, who shall

constitute a board of election for ~~((such))~~ the precinct. If the board fails to appoint a board of election, or the members appointed do not attend at the opening of the polls on the morning of election, the electors of the precinct present at that hour may appoint the board, or supply the place of an absent member thereof. The board of directors must, in its order appointing the board of election, designate the house or place within the precinct where the election must be held. However, in any irrigation district that is less than two hundred thousand acres in size and is divided into director divisions, the board of directors in its discretion may designate one polling place within the district to serve more than one election precinct. If the board of directors does designate a single polling place for more than one election precinct, then the election officials appointed by the board of directors may serve more than one election precinct and the election officials may be electors of any of the election precincts for which they are the election board.

Sec. 6. Section 35, page 689, Laws of 1889-90 as last amended by section 17, chapter 179, Laws of 1915 and RCW 87.03.435 are each amended to read as follows:

Any person to whom a contract may have been awarded for the construction of a canal or any of the works of the district, or any portion thereof, or for the furnishing of labor or material, shall enter into a bond with good and sufficient sureties, to be approved by the board of directors, payable to ~~((said))~~ the district for its use, for at least twenty-five percent of the amount of the contract price, conditioned for the faithful performance of said contract, and with such further conditions as may be required by law in the case of contracts for public work, and as may be required by resolution of the board. All works shall be done under the direction and to the satisfaction of the engineer of the district, and be approved by the board. Whenever in the construction of the district canal or canals, or other works, or the furnishing of materials therefor, the board of directors shall determine to let a contract or contracts for the doing of ~~((said))~~ the work or the furnishing of ~~((said))~~ the materials, a notice calling for sealed proposals shall be published in a newspaper in the county in which the office of the board is situated, and in any other newspaper which may be designated by the board, and for such length of time, not less than once each week for two weeks, as may be fixed by the board. At the time and place appointed in the notice for the opening of bids, the sealed proposals shall be opened in public, and as soon as convenient thereafter, the board shall let ~~((said))~~ the work or the contract for the purchase of materials, either in portions or as a whole, to the lowest responsible bidder, or the board may reject any or all bids and readvertise, or may proceed to construct the work under its own superintendence: PROVIDED, That the provisions of this section in regard to public bidding shall not apply in cases where the board is authorized to exchange bonds of the district in payment for labor and material: PROVIDED FURTHER, That the provisions of this section shall not apply in the case of any contract between the district and the United States.

Sec. 7. Section 39, page 692, Laws of 1889-90 as last amended by section 1, chapter 23, Laws of 1980 and RCW 87.03.460 are each amended to read as follows:

The directors shall each receive not to exceed forty dollars per day in attending meetings and while performing other services for the district, to be fixed by resolution and entered in the minutes of their proceedings, and in addition thereto their reasonable expenses in accordance with chapter 42.24 RCW ~~((as now existing or hereafter amended))~~. The board shall fix the compensation of the secretary and all other employees. ~~((The board shall, upon the petition of at least fifty or a majority of the electors, submit to the electors at any general district election, a schedule of salaries and fees to be paid hereunder. The petition shall be presented to the board twenty days before a general election, and the result thereof shall be determined and declared as other elections:))~~

Renumber the sections consecutively.

#### POINT OF ORDER

Senator Benitz: "Mr. President, I raise the question of scope and object on the amendment proposed by Senators Hansen and McCaslin."

#### RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the point of order raised by Senator Benitz, the President finds that Engrossed House Bill No. 1094 is a measure which grants certain public officials and employees immunity from civil liability for any decisions made in the good faith performance of their official duties which relate to their responsibilities for electrical utilities.

"The amendment proposed by Senators Hansen and McCaslin amends the law relating to irrigation district election procedures and powers.

"The President, therefore, finds that the proposed amendment does expand the scope and object of the bill and that the point of order is well taken."

The amendment to the Committee on Energy and Utilities amendment was ruled out of order.

The President declared the question before the Senate to be the motion by Senator Williams to adopt the Committee on Energy and Utilities amendment.

The motion by Senator Williams carried and the committee amendment was adopted.

#### MOTIONS

On motion of Senator Williams, the following title amendment was adopted:

On page 1, line 1 of the title, after "local government;" strike the remainder of the title and insert "adding a new section to chapter 35.21 RCW; adding a new section to chapter 54.12 RCW; adding a new section to chapter 87.03 RCW; and declaring an emergency."

On motion of Senator Williams, the rules were suspended, Engrossed House Bill No. 1094, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Talmadge: "Senator Williams, is it the intent of this bill to give relief for personal liability for actions taken before its effective date?"

Senator Williams: "Senator Talmadge, no. We discussed this issue in committee and it was clearly understood that the legislation is not retrospective. It is prospective and only covers actions taken subsequent to its effective date."

Senator Talmadge: "Senator, the second question--the courts will frequently interpret enactments or other legislative expressions of public policy to guide in situations that occurred before the effective date of the act. Although this enactment is to be prospective only, is this statute to be used at all in the assessment of situations that occurred before the effective date of the act?"

Senator Williams: "No."

Senator Talmadge: "One last one--is it the intent of this bill to confer any kind of immunity on public utility district commissioners from a potential recall?"

Senator Williams: "No, not at all."

Further debate ensued.

#### POINT OF INQUIRY

Senator Shinpoch: "Senator Hemstad, your speech--I am not sure that I understood you correctly and I want to clarify it. I think that I understood you to say that this bill would apply to things retroactively--to things that have occurred in the past and we would--if I misunderstood you, would you make the statement again and let me understand it?"

Senator Hemstad: "Senator Shinpoch, my concern is that legislation, in the typical situation, is prospective only in application and I expect that's what would be the intent of this legislature with this bill--that it would be prospective in application.

"The burden of Senator Talmadge's question was really an attempt, I think, to bind the court, that it was incapable of using its common-law powers to modify the common-law as fact situations arose and come before the court for historical events that have already occurred. That seemed to be going beyond what this legislature should do and the court should treat those events as they arise, as it does commonly with any other issue that comes in front of it and is beyond our responsibility to attempt to dictate to the courts how it will address retrospectively, which courts do, how it will address those fact situations as they arise. We should be saying nothing on that issue."

Senator Shinpoch: "Thank you, Senator Hemstad. I am not sure that I am in agreement with your statement. At least, I understand what you were saying. I understood the questions or the one question, particularly, that you are concerned with--is simply being designed to assure members of the body that we were not going back--if something has occurred--that we are not going back and blessing something that has gone on--that has occurred before. I appreciate your answer. Thank you."

Further debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed House Bill No. 1094, as amended by the Senate.

## ROLL CALL

The Secretary call the roll on final passage Engrossed House Bill No. 1094, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 32; nays, 16; excused, 1.

Voting yea: Senators Barr, Bauer, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fuller, Gaspard, Goltz, Granlund, Guess, Hatley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McManus, Newhouse, Owen, Patterson, Peterson, Guigg, Sellar, Thompson, Williams, Woody, Zimmerman - 32.

Voting nay: Senators Bender, Fleming, Hughes, Hurley, McCaslin, McDermott, Metcalf, Moore, Rasmussen, Rinehart, Shinpoch, Talmadge, Vognild, von Reichbauer, Warnke, Wojahn - 16.

Excused: Senator Pullen - 1.

ENGROSSED HOUSE BILL NO. 1094, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Senator Shinpoch, the Senate advanced to the eighth order of business.

## MOTION

On motion of Senator McManus, the following resolution was adopted:

## SENATE RESOLUTION 1983-19

By Senators McManus, Fleming, Deccio, Talmadge and Granlund

WHEREAS, The Child Protective Services section of the Department of Social and Health Services provides a twenty-hour a day emergency service, investigation and assessment of reported cases of child abuse, neglect or exploitation, with counseling and referral to other services as needed; and

WHEREAS, Child Protective Services provides primary coordination and authority for intervention for community child abuse/neglect services; and

WHEREAS, The major elements of service are the provision of intake and assessment of risk; investigation of all allegations of child abuse and neglect; and the provision of ongoing counseling, monitoring, and resource coordination for abuse and neglecting families; and

WHEREAS, The Child Protective Services section of the Department of Social and Health Services must coordinate its activities with law enforcement, health care providers, schools, foster care and day care, and mental health providers; and

WHEREAS, In 1982, 1,700 cases were opened per month and in 1985 it is projected that 2,200 cases will be opened per month; and

WHEREAS, In a number of cases, parents have endured much trauma due to inadequate following of practices and procedures as set forward in the Revised Code of Washington and the policy statement of the Child Protective Services, and inappropriate prosecution or absence of prosecution by the State Attorney General's office and/or the appropriate municipal or county prosecutor's office of those individuals alleged to have committed the abuse or neglect;

NOW, THEREFORE, BE IT RESOLVED, That the Senate Committee on Social and Health Services, the Senate Committee on Institutions, and the Senate Committee on Judiciary conduct a joint study and thorough review of all services, activities and procedures of the Child Protective Services section of the Department of Social and Health Services, including but not limited to:

1) Investigate a random and comprehensive sampling of cases on file with Child Protective Services. The cases to be chosen by an authorized member or staff person of the committee. Child Protective Services shall make all cases available to the committee;

2) Child Protective Services training programs;

3) Facilitation of community-based services for Child Protective Services clients;

4) Inter/intra program linkages; and

5) The effect of various actions by Child Protective Services on child custody proceedings and determinations; and

BE IT FURTHER RESOLVED, That the Senate committees shall report their joint findings and recommendations to the next session of the Legislature by January 1, 1984.

MOTION

At 8:50 p.m., on motion of Senator Shinpoch, the Senate adjourned until 10:00 a.m., Wednesday, May 10, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

## SIXTEENTH DAY

---

### MORNING SESSION

---

Senate Chamber, Olympia, Tuesday, May 10, 1983

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Bauer, McDermott, Pullen and Sellar. On motion of Senator Bluechel, Senators Pullen and Sellar were excused.

The Sergeant at Arms Color Guard, consisting of Pages Ted Peterson and Paula McWilliams, presented the Colors. Reverend Theodore Marmo, pastor of St. Michael's Catholic Church of Olympia, offered the prayer.

#### MOTION

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

#### INTRODUCTION AND FIRST READING

SCR 135 by Senators McManus, Quigg and Vognild

Establishing the joint oversight committee on the joint Training Partnership Act.

#### MOTIONS

On motion of Senator Shipoch, the rules were suspended, Senate Concurrent Resolution No. 135 was advanced to second reading and read the second time.

On motion of Senator Shipoch, the rules were suspended, Senate Concurrent Resolution No. 135 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

#### MOTION

On motion of Senator Quigg, and there being no objection, his name was removed as a prime sponsor of Senate Concurrent Resolution No. 135.

The President declared the question before the Senate to be the roll call on final passage of Senate Concurrent Resolution No. 135.

#### ROLL CALL

The Secretary called the roll on final passage of Senate Concurrent Resolution No. 135, and the resolution failed to pass the Senate by the following vote: Yeas, 23; nays, 22; absent, 2; excused, 2.

Voting yea: Senators Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McManus, Moore, Owen, Peterson, Rasmussen, Rinehart, Shipoch, Talmadge, Thompson, Warnke, Williams, Wojahn, Woody - 23.

Voting nay: Senators Barr, Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Vognild, von Reichbauer, Zimmerman - 22.

Absent: Senators Bauer, McDermott - 2.

Excused: Senators Pullen, Sellar - 2.

SENATE CONCURRENT RESOLUTION NO. 135, having failed to receive the constitutional majority, was declared lost.

#### NOTICE FOR RECONSIDERATION

Having voted on the prevailing side, Senator Vognild served notice that he would move to reconsider the vote by which Senate Concurrent Resolution No. 135 failed to pass the Senate.

There being no objection, the President reverted the Senate to the fourth order of business.

#### MESSAGE FROM THE HOUSE

Mr. President:

May 7, 1983

The House refuses to concur in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 240 and asks the Senate for a conference thereon, and the Speaker has appointed the following members as conferees: Representatives Pruitt, Tanner and Barnes.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Talmadge, the Senate granted the request of the House for a conference on Engrossed Substitute House Bill No. 240.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Substitute House Bill No. 240 and the Senate amendments thereto: Senators Talmadge, Pullen and Rinehart.

#### MOTION

On motion of Senator Shinpoch, the Conference Committee appointments were confirmed.

#### MOTIONS

On motion of Senator Shinpoch, the rules were suspended and the Committee on Rules was relieved of further consideration of Senate Concurrent Resolution No. 120.

On motion of Senator Shinpoch, Senate Concurrent Resolution No. 120 was advanced to second reading and placed on the second reading calendar.

At 10:23 a.m., on motion of Senator Shinpoch, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

The Senate was called to order at 1:30 p.m. by President Cherberg.

#### MESSAGE FROM THE HOUSE

May 10, 1983

Mr. President:

The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 3067,

SUBSTITUTE SENATE BILL NO. 4137, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MESSAGE FROM THE HOUSE

May 9, 1983

Mr. President:

The House has adopted the Report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 74, and the report together with the bill are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### REPORT OF FREE CONFERENCE COMMITTEE

May 8, 1983

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred, ENGROSSED HOUSE BILL NO. 74, raising limits on local government contracts that may benefit local officers, have had the same under consideration, and we recommend that Engrossed House Bill No. 74 be amended as follows and that the amended bill do pass:

(See Report of Conference Committee on Engrossed House Bill No. 74 read in on May 6, 1983)

Signed by: Senators Thompson, Zimmerman and Bauer; Representatives Moon, Ebersole and Brough.

## MOTION

On motion of Senator Thompson, the Report of the Free Conference Committee on Engrossed House Bill No. 74 was adopted.

The President declared the question before the Senate to be the roll call on final passage of Engrossed House Bill No. 74, as amended by the Free Conference Committee.

## ROLL CALL

The Secretary called the roll on final passage on Engrossed House Bill No. 74, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 41; nays, 4; absent, 4.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Sellar, Shipoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Zimmerman - 41.

Voting nay: Senators Craswell, Hughes, Hurley, Pullen - 4.

Absent: Senators Deccio, McDermott, Rinehart, Woody - 4.

ENGROSSED HOUSE BILL NO. 74, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE HOUSE

May 9, 1983

Mr. President:

The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 3079, with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 2, chapter 75, Laws of 1963 as amended by section 2, chapter 57, Laws of 1965 and RCW 41.04.190 are each amended to read as follows:

The cost of any such group policy or plan to any such public agency or body shall not be deemed additional compensation to the employees or elected county officials covered thereby (~~for services rendered~~), and any officer authorized to disburse such funds may pay in whole or in part to any such insurance carrier or health care service contractor the amount of the premiums due pursuant to any such contract.

NEW SECTION. Sec. 2. The local government committees of the senate and house of representatives shall study compensation and other benefits provided to officials of special purpose districts and report their findings and any recommendations to the senate and house of representatives on or before January 1, 1984."

On page 1, line 1 of the title, after "insurance," strike the remainder of the title and insert "amending section 2, chapter 75, Laws of 1963 as amended by section 2, chapter 57, Laws of 1965 and RCW 41.04.190; and creating a new section."

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## MOTIONS

On motion of Senator Thompson, the Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 3079.

On motion of Senator Vognild, Senator McDermott was excused.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3079, as amended by the House.

## ROLL CALL

The Secretary called the roll on final passage on Engrossed Substitute Senate Bill No. 3079, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent, 1; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shipoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 46.

Voting nay: Senator Pullen - 1.

Absent: Senator Guess - 1.



Excused: Senator McDermott - 1.

ENGROSSED SUBSTITUTE 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 HOUSE

May 9, 1983

Mr. President:

The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 3490 with the following amendments:

On page 3, beginning on line 28, after "by" strike "the department of social and health services in consultation with"

On page 4, beginning on line 17, after "by" strike "the state department of social and health services or".

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

MOTION

On motion of Senator Thompson, the Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 3490.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3490, as amended by the House.

ROLL CALL

The Secretary called the roll on final passage on Engrossed Substitute Senate Bill No. 3490, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; absent, 1; excused, 1.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vogndil, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 45.

Voting nay: Senators Pullen, Rasmussen - 2.

Absent: Senator Bauer - 1.

Excused: Senator McDermott - 1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3490, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

May 7, 1983

Mr. President:

The House has adopted the Report of the Conference Committee on ENGROSSED SENATE BILL NO. 3858 and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

REPORT OF FREE CONFERENCE COMMITTEE

May 8, 1983

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred, ENGROSSED SENATE BILL NO. 3858, authorizing the annexation of areas outside cities and towns upon consent of property owners, have had the same under consideration, and we recommend that Engrossed Senate Bill No. 3858 be amended as follows and that the amended bill do pass.

(See Report of Conference Committee on Engrossed Senate Bill No. 3858 read in on May 6, 1983)

Signed by: Senators Thompson, Granlund and Benitz; Representatives Moon, Chamley and Van Dyken.

## MOTION

Senator Thompson moved that the Report of the Free Conference Committee on Engrossed Senate Bill No. 3858 not be adopted.

Debate ensued.

## POINT OF INQUIRY

Senator Rasmussen: "Concurring with the remarks of Senator Benitz and Senator Thompson, I would like to ask Senator Thompson a question. Is it your intention to raise Senator Barr's portion of the bill, which is all right?"

Senator Thompson: "Senator Rasmussen, we believe we can. I think we have established that kind of an understanding with the House conferees and the people involved over there."

## PARLIAMENTARY INQUIRY

Senator Rasmussen: "Mr. President, on a move to reject the Free Conference Report, where does the bill end up then?"

## REPLY BY THE PRESIDENT

President Cherberg: "It would be possible for the conferees to meet again, if they so chose."

The President declared the question before the Senate to be the motion by Senator Thompson to not adopt the Report of the Free Conference Committee on Engrossed Senate Bill No. 3858.

The motion by Senator Thompson carried and the Senate did not adopt the Report of the Free Conference Committee on Engrossed Senate Bill No. 3858.

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

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

SHB 712 by Committee on Ways and Means (originally sponsored by Representatives Wang, Grimm, Kaiser, Ellis, J. King, Garrett, Lux, Rust, B. Williams, Fisher, Isaacson and Charley)

Providing for the funding of a hazardous waste program.

Referred to Committee on Parks and Ecology.

SHB 717 by Committee on Ways and Means (originally sponsored by Representatives Grimm, Wang, Ellis, Rust, Fisher, Isaacson, B. Williams and Charley)

Authorizing bonds for hazardous waste investigation, clean up, etc.

Referred to Committee on Parks and Ecology.

## MOTION

At 2:02 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 2:34 p.m.

## MESSAGE FROM THE HOUSE

May 10, 1983

Mr. President:

The House has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 278, as amended by the Senate on page 14, line 21; page 52, line 21; page 55, line 15; page 72, line 6; page 93, line 18, line 20 and line 28; and without those certain amendments from which the Senate receded.

DEAN R. FOSTER, Chief Clerk

## MESSAGE FROM THE HOUSE

May 10, 1983

Mr. President:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 139.

HOUSE BILL NO. 570, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

SIGNED BY THE PRESIDENT

The President signed:  
 SUBSTITUTE HOUSE BILL NO. 139,  
 HOUSE BILL NO. 570.

There being no objection, the Senate resumed consideration of Reengrossed Substitute Senate Bill No. 3660 and the pending motion by Senator McManus to concur in the House amendments, deferred May 9, 1983.

Debate ensued.

POINT OF ORDER

Senator Craswell: "Mr. President, I would challenge this on scope and object. There are four pages of title amendments and I think this is quite unusual and I do suggest that the whole amendment is out of the scope and object."

Debate ensued.

At 2:40 p.m., there being no objection, the Senate was declared to be at ease. The President called the Senate to order at 2:46 p.m.

RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the point of order raised by Senator Craswell, the President finds that Reengrossed Substitute Senate Bill No. 3660 is an omnibus measure modifying the laws governing the powers and duties of the Department of Social and Health Services.

"The amendment proposed by the House of Representatives in its entirety also modifies the laws governing the powers and duties of the Department of Social and Health Services.

"The President, therefore, finds that the proposed amendment does not expand the scope and object of the bill and that the point of order is not well taken."

The amendments by the House of Representatives were ruled in order.

The President declared the question before the Senate to be adoption of the motion by Senator McManus to concur in the House amendments to Reengrossed Substitute Senate Bill No. 3660.

The motion by Senator McManus carried and the House amendments to Reengrossed Substitute Senate Bill No. 3660 were adopted.

The President declared the question before the Senate to be the roll call on final passage of Reengrossed Substitute Senate Bill No. 3660, as amended by the House.

ROLL CALL

The Secretary called the roll on final passage on Reengrossed Substitute Senate Bill No. 3660, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 33; nays, 10; absent, 5; excused, 1.

Voting yea: Senators Bauer, Bender, Bluechel, Boltiger, Clarke, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Haley, Hansen, Hemstad, Hughes, Hurley, Kiskaddon, Lee, McManus, Moore, Patterson, Peterson, Rasmussen, Sellar, Shipoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody - 33.

Voting nay: Senators Barr, Benitz, Craswell, Hayner, Jones, McCaslin, Metcalf, Newhouse, Quigg, Zimmerman - 10.

Absent: Senators Granlund, Guess, Owen, Pullen, Rinehart - 5.

Excused: Senator McDermott - 1.

REENGROSSED SUBSTITUTE SENATE BILL NO. 3660, 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 President advanced the Senate to the sixth order of business.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 251, by Committee on Commerce and Economic Development (originally sponsored by Representatives Sayan, Vekich, J. King, Fisch, Allen, McClure, Wang, Tanner, Haugen, Appelwick, Ellis, Fisher, Hine, Lux, Charnley, Gallagher, B. Williams, Powers, Stratton, Ristuben and Garrett)

Establishing the state employment and conservation corps.

The bill was read the second time.

## MOTIONS

On motion of Senator Vognild, Senator Owen was excused.

Senator Hughes moved the following Committee on Parks and Ecology amendment be adopted:

On page 1, beginning on line 6, strike the remainder of the amendment and insert the following:

NEW SECTION, Sec. 1. The legislature finds that:

(1) The unemployment rate in the state of Washington is the highest since the great depression, with a significantly higher rate among Washington youth.

(2) The policy of the state is to conserve and protect its natural and urban resources, scenic beauty, and historical and cultural sites.

(3) It is in the public interest to target employment projects to those activities which have the greatest benefit to the local economy.

(4) There are many unemployed young adults without hope or opportunities for entrance into the labor force who are unable to afford higher education and who create a serious strain on tax revenues in community services.

(5) The severe cutbacks in community and human services funding leave many local community service agencies without the resources to provide necessary services to those in need.

(6) The talent and energy of Washington's unemployed young adults are an untapped resource which should be challenged to meet the serious shortage in community services and promote and conserve the valuable resources of the state.

Therefore, the legislature finds it necessary and in the public interest to enact the Washington youth employment and conservation act. As part of this act, the Washington youth employment exchange is established as an operating program of the employment security department. The legislature desires to facilitate the potential of youth to obtain available job opportunities in both public and private agencies.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Commissioner" means the commissioner of the employment security department.

(2) "Department" means the employment security department.

(3) "Enrollees" means those persons who have completed enrollment forms, completed a work agreement, and who have entered into service following the approval of the director of the supervising agency.

(4) "Exchange" means the Washington youth employment exchange.

(5) "Work agreement" means the written agreement between the department, the enrollee and the supervising agency under this chapter for a period of up to eighteen months.

(6) "Supervising agencies" means those private or public agencies which develop and implement full-time service projects in which enrollees agree to participate.

(7) "Matching funds" means funding that is provided to the employment security department by agencies or individuals as financial support for a portion of the stipend or wage and benefits paid to the enrollee.

(8) "Financial support" means any thing of value contributed by agencies or individuals to the department for a youth employment project which is reasonably calculated to support directly the development and expansion of a particular program under this chapter and which represents an addition to any financial support previously or customarily provided by the individual or agency. "Financial support" includes, but is not limited to funds, equipment, facilities, and training.

(9) "Director" means the individual who shall serve as the director of the exchange.

NEW SECTION, Sec. 3. The Washington youth employment exchange is established within the employment security department. The commissioner shall:

(1) Appoint a director for the exchange and other personnel as necessary to carry out the purposes of this act;

(2) Coordinate youth employment and training efforts under the department's jurisdiction and cooperate with other agencies or departments providing youth services to ensure that funds appropriated for the purposes of this chapter will not be expended to duplicate existing services, but will increase the services of youth to the state;

(3) The employment security department is authorized to place subgrants with other federal, state, and local governmental agencies and private agencies to provide youth employment projects and to increase the numbers of youth employed;

(4) Determine appropriate financial support levels by private business, community groups, foundations, public agencies, and individuals which will provide matching funds for enrollees in service projects under work agreements. The matching funds requirement may be waived for public agencies or reduced for private agencies;

(5) Recruit enrollees who are residents of the state unemployed at the time of application and are at least eighteen years of age but not more than twenty-five years of age;

(6) Recruit supervising agencies to host the enrollees in full-time service activities which shall not exceed six months' duration, which may be extended for an additional six months by mutual consent;

(7) Assist supervising agencies in the development of scholarships and matching funds from private and public agencies, individuals, and foundations in order to support a portion of the enrollee's stipend and benefits;

(8) Develop general employment guidelines for placement of enrollees in supervising agencies to establish appropriate authority for hiring, firing, grievance procedures, and employment standards which are consistent with state and federal law;

(9) Match enrollees with appropriate public agencies and available service projects;

(10) Monitor enrollee activities for compliance with this chapter and compliance with work agreements;

(11) Assist enrollees in transition to employment upon termination from the programs, including such activities as orientation to the labor market, on-the-job training, and placement in the private sector.

NEW SECTION, Sec. 4. The commissioner may select and enroll in the Washington youth employment exchange program any person who is at least eighteen years of age but not more than twenty-five years of age, is a resident of the state, and who is not for medical, legal, or psychological reasons incapable of service. In the selection of enrollees of the exchange, preference shall be given to youths residing in areas, both urban and rural, in which there exists substantial unemployment above the state average. Efforts shall be made to enroll youths who are economically, socially, physically, or educationally disadvantaged. The commissioner may prescribe such additional standards and procedures in consultation with supervising agencies as may be necessary in conformance with this chapter.

NEW SECTION, Sec. 5. The commissioner shall use existing local offices of the employment security department or contract with independent, private nonprofit agencies in a local community to establish the local youth employment exchange program and to insure coverage of the program state-wide. Each local youth employment exchange program shall maintain a list of available youth employment opportunities in the jurisdiction covered by the local office and the appropriate forms or work agreements to enable the youths to apply for employment in private or public supervising agencies.

NEW SECTION, Sec. 6. Placements in the Washington youth employment exchange shall be made in supervising agencies under work agreements as provided under this chapter and shall include those assignments which provide for addressing community needs and conservation problems and will assist the community in economic development efforts. Each work agreement shall:

(1) Demonstrate that the service project is appropriate for the enrollee's interests, skills, and abilities and that the project is designed to meet unmet community needs;

(2) Include a requirement of regular performance evaluation. This shall include clear work performance standards set by the supervising agency and procedures for identifying strengths, recommended improvement areas and conditions for probation or dismissal of the enrollee; and

(3) Include a commitment for partial financial support for the enrollee for a private industry, public agency, community group, or foundation. The commissioner may establish additional standards for the development of placements for enrollees with supervising agencies and assure that the work agreements comply with those standards. This section shall not apply to conservation corps programs established by chapter 43, RCW (chapter ... (2SSB 3624), Laws of 1983).

Agencies of the state may use the youth employment exchange for the purpose of employing youth qualifying under this chapter.

NEW SECTION, Sec. 7. The assignment of enrollees shall not result in the displacement of currently employed workers, including partial displacement such as reduction in hours of nonovertime work, wages, or other employment benefits. Supervising agencies that participate in the program may not terminate, lay-off, or reduce the working hours of any employee for the purpose of utilizing an enrollee with funds available. In circumstances where substantial efficiencies or a public purpose may result, supervising agencies may utilize enrollees to carry out essential agency work or contractual functions without displacing current employees.

NEW SECTION, Sec. 8. The commissioner shall seek and may accept, on behalf of the youth employment exchange, charitable donations of cash and other assistance including, but not

limited to, equipment and materials if the donations are available for appropriate use for the purposes set forth in this chapter.

**NEW SECTION.** Sec. 9. The commissioner may enter into income-generating projects with public or private organizations to further the purposes of this chapter. Moneys received from contractual projects qualifying under this chapter shall be deposited in the state general fund. This section does not apply to conservation corps programs established by chapter 43\_\_\_ RCW (chapter ... (2SSB 3624), Laws of 1983).

**NEW SECTION.** Sec. 10. All parties entering into work agreements under this chapter shall agree that they will not discriminate in the providing of any service on the basis of race, creed, ethnic origin, sex, age, or political affiliation.

**NEW SECTION.** Sec. 11. Not more than the federal minimum wage or subsistence living allowance, comprehensive medical insurance, and medical aid shall be paid for the enrollees in the youth employment exchange by the commissioner in accordance with the standards and limitations of the appropriation provided for this chapter. The department shall give notice of coverage to the director of labor and industries after enrollment. The department shall not be deemed an employer of an enrollee for any other purpose.

Other provisions of law relating to civil service, hours of work, rate of compensation, sick leave, unemployment compensation, state retirement plans, and vacation leave do not apply to enrollees.

**NEW SECTION.** Sec. 12. The services of enrollees placed with supervising agencies described in chapter 50.44 RCW are exempt from unemployment compensation coverage under RCW 50.44.040(5) and the enrollees shall be so advised by the department.

**NEW SECTION.** Sec. 13. In addition to any other power, duty, or function described by law or rule, the employment security department, through the program established under this chapter, may accept federal or private sector funds and grants and implement such programs relating to community services or employment programs and may enter into contracts respecting such funds or grants. The department may also use funds appropriated for the purposes of this chapter as matching funds for federal or private source funds to accomplish the purposes of this chapter.

**NEW SECTION.** Sec. 14. This chapter shall expire on July 1, 1987, unless extended by law for an additional fixed period of time.

**NEW SECTION.** Sec. 15. The commissioner shall submit a report to the legislature by January 15, 1985, indicating the number of work agreements entered into and the number of young adults enrolled under this act.

**NEW SECTION.** Sec. 16. If any part of this act is found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, such conflicting part of this act is declared to be inoperative solely to the extent of the conflict, and such finding or determination shall not affect the operation of the remainder of this act. The rules under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

**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 14 of this act shall constitute a new chapter in Title 50 RCW.

**NEW SECTION.** Sec. 19. There is hereby appropriated from the general fund to the employment security department for the biennium ending June 30, 1985, the sum of two million dollars, or so much thereof as may be necessary, to carry out the purposes of this act."

#### POINT OF INQUIRY

Senator Haley: "Senator Hughes, this bill has what relation to the Washington Conservation Corps?"

Senator Hughes: "Very little at this point, Senator Haley, because we have removed the civilian conservation corps concept from this bill and included that in Senate Bill No. 3624. This, I guess, could be best described as more the CETA type approach. It deals with the youth employment exchange and I plan to address that on third reading, creating job placements with both the private and public sector for youth between the ages of 18 and 25 and non-civilian conservation corps type projects."

The President declared the question before the Senate to be adoption of the Committee on Parks and Ecology amendment.

The motion by Senator Hughes carried and the committee amendment was adopted.

#### MOTION

On motion of Senator Hughes, the following title amendment was adopted:

On page 1, line 1 of the title, after "conservation," strike the remainder of the title and insert "adding a new chapter to Title 50 RCW; creating new sections; providing an expiration date; and making an appropriation."

## MOTION

On motion of Senator Hughes, the rules were suspended, Substitute House Bill No. 251, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Zimmerman: "Senator Hughes, I might be confused here, but page 12 of this amendment that is on our desks--when the title amendment was read 'providing an expiration date' and did not say 'and making an appropriation' and yet section 19 above does make an appropriation, so the question is not anything big, but first of all does it make an appropriation of two million?"

Senator Hughes: "Yes."

Senator Zimmerman: "Secondly, probably the title does include making an appropriation?"

Senator Hughes: "That is true. The appropriation is two million."

Senator Zimmerman: "The title should include that?"

Senator Hughes: "Yes."

The President declared the question before the Senate to be the roll call on final passage of Substitute House Bill No. 251, as amended by the Senate.

## ROLL CALL

The Secretary called the roll on final passage of Substitute House Bill No. 251, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 34; nays, 10; absent, 3; excused, 2.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Hansen, Hemstad, Hughes, Hurley, Kiskaddon, Lee, McManus, Metcalf, Moore, Patterson, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 34.

Voting nay: Senators Barr, Benitz, Clarke, Craswell, Haley, Hayner, Jones, McCaslin, Newhouse, Quigg - 10.

Absent: Senators Deccio, Pullen, Sellar - 3.

Excused: Senators McDermott, Owen - 2.

SUBSTITUTE HOUSE BILL NO. 251, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 3079,

SENATE BILL NO. 3413,

SUBSTITUTE SENATE BILL NO. 3490.

## MOTION

At 3:05 p.m., on motion of Senator Shinpoch, the Senate adjourned until 1:30 p.m., Wednesday, May 11, 1983.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## SEVENTEENTH DAY

## AFTERNOON SESSION

Senate Chamber, Olympia, Wednesday, May 11, 1983

The Senate was called to order at 1:30 p.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Kiskaddon, Quigg and Talmadge.

On motion of Senator Vognild, Senator Talmadge was excused. On motion of Senator Bluechel, Senators Kiskaddon and Quigg were excused.

The Sergeant at Arms Color Guard, consisting of Pages Kristy Hand and Paul Grant, presented the Colors. Reverend John Koehler, assistant pastor of St. Michael's Catholic Church of Olympia, offered the prayer.

## MOTION

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

## MESSAGE FROM THE HOUSE

May 11, 1983

Mr. President:

The House has adopted the Report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 74 and passed the bill as amended by the Free Conference Committee.

DEAN R. FOSTER, Chief Clerk

## MESSAGE FROM THE HOUSE

May 11, 1983

Mr. President:

The House has adopted the Report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 428 and passed the bill as amended by the Free Conference Committee.

DEAN R. FOSTER, Chief Clerk

## MESSAGE FROM THE HOUSE

May 11, 1983

Mr. President:

The House has adopted the Report of the Conference Committee on SENATE BILL NO. 3090 and has granted said committee the powers of Free Conference, and the Report of the Conference Committee is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## REPORT OF CONFERENCE COMMITTEE

May 5, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred, SENATE BILL NO. 3090, modifying the budget and accounting act, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill as follows:

NEW SECTION, Sec. 2. There is added to chapter 43.88 RCW a new section to read as follows:

Prior to January 15 of each year, each state agency shall separately itemize and submit to the secretary of the senate and chief clerk of the house any expenditures required to be made by the agency under any federal court order. The secretary and chief clerk shall transmit this information to the appropriate standing committees. In each instance, the legislature shall review the expenditures mandated by the federal court order with a view to determining whether the program affected by the court order should be continued or eliminated and funds for the program either appropriated or not appropriated accordingly.



NEW SECTION. Sec. 3. There is added to chapter 43.88 RCW a new section to read as follows:

The optional budget appendix containing a proposal for expenditures in the ensuing fiscal period from revenue sources derived from proposed changes in existing statutes shall be no more detailed than the required budget document setting forth a proposal of expenditures in the ensuing fiscal period based upon anticipated revenues for such fiscal period from the source and at the rates existing by law at the time of submission of the budget document."

On page 3, line 29, after "immediately" insert ", except section 2 of this act which shall take effect July 1, 1983"

On page 3, line 29, after "immediately," insert "This section shall not apply to section 2 of this act."

On page 1, line 3, after "43.88.110;" insert "adding new sections to chapter 43.88 RCW;"

On page 1, line 4 of the title, after "RCW 43.88.113;" insert "providing an effective date;"

Signed by: Senators Gaspard, Talmadge and Lee; Representatives Grimm, McMullen and Fiske.

#### MOTION

On motion of Senator Gaspard, the Report of the Conference Committee on Senate Bill No. 3090 was adopted and the powers of Free Conference were granted.

#### MESSAGE FROM THE HOUSE

May 10, 1983

Mr. President:

The Speaker has signed:

HOUSE BILL NO. 239,

HOUSE BILL NO. 1082, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 239,

HOUSE BILL NO. 1082.

#### SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 3660.

#### MOTION

On motion of Senator Shinpoch, the Senate advanced to the sixth order of business.

#### SECOND READING

SENATE CONCURRENT RESOLUTION 120, by Senator Williams

Establishing a joint select committee on telecommunications regulation.

#### MOTIONS

On motion of Senator Williams, Substitute Senate Concurrent Resolution No. 120 was substituted for Senate Concurrent Resolution No. 120 and the substitute resolution was placed on second reading and read the second time.

On motion of Senator Williams, the following amendment by Senators Newhouse and Williams was adopted:

On page 1, line 25, after "RESOLVED," strike all material through "House;" on line 26 and insert: "That the Committee shall consist of eight members, four from the House of Representatives to be appointed by the Speaker of the House of Representatives and four from the Senate to be appointed by the President of the Senate, with not more than two members from each chamber being of the same political party. The chairman and vice chairman of the committee shall be jointly selected by the President of the Senate and the Speaker of the House."

On motion of Senator Williams, the following amendment was adopted.

On page 1, line 23, strike the word "select" after joint and before committee.

## MOTION

On motion of Senator Williams, the rules were suspended. Engrossed Substitute Senate Concurrent Resolution No. 120 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Concurrent Resolution No. 120.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Concurrent Resolution No. 120, and the resolution passed the Senate by the following vote: Yeas, 37; nays, 8; absent, 1; excused, 3.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Lee, McDermott, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Rasmussen, Rinehart, Shipoch, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 37.

Voting nay: Senators Benitz, Clarke, Craswell, Guess, Haley, McCaslin, Metcalf, Pullen - 8.  
Absent: Senator Sellar - 1.

Excused: Senators Kiskaddon, Quigg, Talmadge - 3.

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 120, having received the constitutional majority, was declared passed.

## MOTION

At 1:52 p.m., on motion of Senator Shipoch, the Senate was declared to be at ease.

The President called the Senate to order at 3:16 p.m.

There being no objection, the President returned the Senate to the fourth order of business.

## MESSAGE FROM THE HOUSE

May 11, 1983

Mr. President:

The House has adopted the Report of the Free Conference Committee on REENGROSSED SUBSTITUTE SENATE BILL NO. 3817 and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## REPORT OF FREE CONFERENCE COMMITTEE

May 6, 1983

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred, REENGROSSED SUBSTITUTE SENATE BILL NO. 3817, restricting body searches by the enforcement agencies, have had the same under consideration and we recommend that the bill pass as amended as follows by the Free Conference Committee:

(See Report of Conference Committee on Reengrossed Substitute Senate Bill No 3817 read in on May 9, 1983)

Signed by: Senators Talmadge, Hemstad and Fleming; Representatives Locke, Belcher and Tilly.

## MOTION

On motion of Senator Talmadge, the Senate adopted the Report of the Free Conference Committee on Reengrossed Substitute Senate Bill No. 3817.

The President declared the question before the Senate to be the roll call on final passage of Reengrossed Substitute Senate Bill No. 3817, as amended by the Free Conference Committee.

## ROLL CALL

The Secretary called the roll on final passage of Reengrossed Substitute Senate Bill No. 3817, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 40; nays, 6; absent, 1; excused, 2.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Clarke, Craswell, Deccio, Fleming, Gaspard, Goltz, Granlund, Hansen, Hayner, Hemstad, Hughes, Hurlley, Jones, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 40.

Voting nay: Senators Barr, Benitz, Fuller, Guess, Haley, McCaslin - 6.

Absent: Senator Conner - 1.

Excused: Senators Kiskaddon, Quigg - 2.

REENGROSSED SUBSTITUTE SENATE BILL NO. 3817, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### MESSAGE FROM THE HOUSE

May 10, 1983

Mr. President:

The House has passed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3624 with the following amendments:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. The Washington conservation corps is hereby created, to be implemented by the following state departments: The employment security department, the department of ecology, the department of game, the department of natural resources, the department of fisheries, the department of agriculture, and the state parks and recreation commission.

**NEW SECTION.** Sec. 2. The legislature declares that:

(1) A central element in the development of the state's young is the provision of meaningful work experience to teach the value of labor and membership in a productive society;

(2) It is important to provide an opportunity for group-oriented public service experiences for the state's young persons;

(3) The state is still benefiting from the wide range of public works accomplished by the conservation corps many years ago and that a similar program will likewise benefit future generations; and

(4) Values of hard work, public spiritedness, group achievement and cooperation, resource conservation, and environmental appreciation can and should be transmitted to society's youth through a conservation corps program.

**NEW SECTION.** Sec. 3. Program goals of the Washington conservation corps include:

(1) Conservation, rehabilitation, and enhancement of the state's natural, historic, environmental, and recreational resources;

(2) Development of the state's youth resources through meaningful work experiences;

(3) Making outdoor and historic resources of the state available for public enjoyment;

(4) Teaching of the workings of natural, environmental, and biological systems, as well as basic employment skills;

(5) Assisting agencies in carrying out statutory assignments with limited funding resources; and

(6) Providing needed public services in both urban and rural settings.

**NEW SECTION.** Sec. 4. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Public lands" means any lands or waters, or interests therein, owned or administered by any agency or instrumentality of the state, federal, or local government.

(2) "Corps" means the Washington conservation corps.

(3) "Corps member" means an individual enrolled in the Washington conservation corps.

(4) "Corps member leaders" or "specialists" means members of the corps who serve in leadership or training capacities or who provide specialized services other than or in addition to the types of work and services that are performed by the corps members in general.

**NEW SECTION.** Sec. 5. (1) The youth employment exchange as established in section 3, chapter ... (2SHB 251), Laws of 1983 shall be the overall coordinator of the Washington conservation corps and have such powers as are provided by this chapter for the purposes of recruitment. The youth employment exchange shall develop guidelines for work performance standards for the conservation corps programs of the agencies listed in section 1 of this act.

(2) The youth employment exchange shall be the sole recipient of federal funds for youth employment and conservation corps programs.

**NEW SECTION.** Sec. 6. (1) Each state department identified in section 1 of this act shall have the following powers and duties to carry out its functions relative to the Washington conservation corps:

(a) Recruiting and employing staff and corps member leaders and specialists;

(b) Adopting criteria for the selection of applicants to the program from among the enrollees of the youth employment exchange program;

(c) Executing agreements for furnishing the services of the employment conservation program to carry out conservation corps programs to any federal, state, or local public agency, any local organization as specified in this chapter in concern with the overall objectives of the conservation corps;

(d) Applying for and accepting grants or contributions of funds from any private source;

(e) Determining a preference for those projects which will provide long-term benefits to the public, will provide productive training and work experiences to the members involved, will be labor-intensive, may result in payments to the state for services performed, and can be promptly completed;

(f) Entering into agreements with community colleges within the state's community college system and other educational institutions or independent nonprofit agencies to provide special education in basic skills, including reading, writing, and mathematics for those conservation corps members who may benefit by participation in such classes. Classes shall be scheduled after corps working hours. Participation by members is not mandatory but shall be strongly encouraged. The participation shall be a primary factor in determining whether the opportunity for corps membership beyond one year shall be offered. Instruction related to the specific role of the department in resource conservation shall also be offered, either in a classroom setting or as is otherwise appropriate; and

(g) Reporting annually to the governor and the legislature on the activities undertaken by the employment and conservation program in the preceding fiscal year, including a cost-effectiveness analysis of all completed, ongoing, and proposed projects.

(2) The assignment of corps members shall not result in the displacement of currently employed workers, including partial displacement such as reduction in hours of nonovertime work, wages, or other employment benefits. Supervising agencies that participate in the program may not terminate, lay-off, or reduce the working hours of any employee for the purpose of using a corps member with available funds. In circumstances where substantial efficiencies or a public purpose may result, supervising agencies may use corps members to carry out essential agency work or contractual functions without displacing current employees.

(3) Facilities, supplies, instruments, and tools of the supervising agency shall be made available for use by the conservation corps to the extent that such use does not conflict with the normal duties of the agency. The agency may purchase, rent, or otherwise acquire other necessary tools, facilities, supplies, and instruments.

NEW SECTION. Sec. 7. (1) Conservation corps members shall be unemployed residents of the state between eighteen and twenty-five years of age at the time of enrollment who are citizens or lawful permanent residents of the United States. The age requirements may be waived for corps leaders and specialists with special leadership or occupational skills; such members shall be given special responsibility for providing leadership, character development, and sense of community responsibility to the corps members, groups, and work crews to which they are assigned. Special effort shall be made to recruit minority and disadvantaged youth who meet selection criteria of the conservation corps. Preference shall be given to youths residing in areas, both urban and rural, in which there exists substantial unemployment exceeding the state average unemployment rate.

(2) Corps members shall not be considered state employees. Other provisions of law relating to civil service, hours of work, rate of compensation, sick leave, unemployment compensation, state retirement plans, and vacation leave do not apply to the Washington conservation corps except for the crew leaders, who shall be project employees, and the administrative and supervisory personnel.

(3) Enrollment shall be for a period of six months which may be extended by mutual agreement of the corps and the corps member. Corps members shall be reimbursed at the minimum wage rate established by federal law: PROVIDED, That the conservation corps shall be operated, to the maximum extent possible, as a residential program and corps members being provided housing shall receive a stipend.

(4) Corps members are to be available at all times for emergency response services coordinated through the department of emergency services or other public agency. Duties may include sandbagging and flood cleanup, search and rescue, and other functions in response to emergencies.

NEW SECTION. Sec. 8. Conservation corps members shall be selected based on their orientation towards public service, development of job skills and productive work habits, and character development. Special effort shall be made at the time of initial screening to explain rigorous productivity standards and special expectations and obligations of corps membership. An employment agreement shall be entered into by the corps member, indicating the member's understanding of, and willingness to abide by, such standards.

In the development of the corps program, consideration shall be given to providing corps members with a beneficial and meaningful work experience. Standards of productivity, behavior, and punctuality shall be developed and observed. Consideration shall be given to the development of a program that deserves the respect of the public, both in terms of service provided and personal development of corps members.

NEW SECTION. Sec. 9. (1) There is established a conservation corps within the department of ecology.

(2) Specific work project areas of the ecology conservation corps may include the following:

(a) Litter pickup as a supplement to the role of the litter patrol established by the model litter control and recycling act, chapter 70.93 RCW;

(b) Stream rehabilitation, including trash removal, in-stream debris removal, and clearance of log jams and silt accumulation, to the extent that such projects do not conflict with similar tasks undertaken by the department of fisheries;

(c) Minimum flow field work and stream gauging;

(d) Identification of indiscriminate solid waste dump sites;

(e) Laboratory and office assistance;

(f) General maintenance and custodial work at sewage treatment plants;

(g) Irrigation district assistance, including ditch cleaning and supervised work in surveying and engineering;

(h) Streambank erosion control; and

(i) Other projects as the director may determine. If a project requires certain levels of academic training, the director may assign corps members to categories of work projects according to educational background. If appropriate facilities are available, the director may authorize carrying out projects which involve overnight stays.

NEW SECTION. Sec. 10. The director of ecology shall undertake a study to identify facilities which may lend themselves to providing residential accommodations for civilian conservation corps members in appropriate locations throughout the state. The study shall include an assessment of any needed costs for rehabilitation or renovation of such facilities, facility ownership, and potential for utilization agreements; any required lease or rental costs; and other appropriate matters. As a function of this study, the director shall seek an agreement with the Cispus educational center to establish a pilot residential conservation corps program. Such program shall utilize the dormitory facilities at the educational center and shall provide for meals and supervision at the center. The director may deduct appropriate amounts from wages of participating corps members to reflect costs of providing residential camp services. Results of this study shall be reported to the legislature by January 1, 1984.

NEW SECTION. Sec. 11. The director of ecology shall develop a community recycling pilot project. This recycling project shall utilize ecology conservation corps members to establish recycling collection routes. As a function of this program, the department shall develop and produce, or contract to have developed and produced, a compartmentalized source separation container which may be used within the homes of a community for source separation of recyclable materials such as bottles, cans, paper, and other such materials. A public information process shall be undertaken to inform the residents of a selected community, town, or city, as identified by the director, of the nature of the project. Conservation corps members shall then contact community residents on a home-by-home basis, requesting participation in a recycling collection route and distributing the compartmentalized source separation containers to those homes participating. Thereafter, on a regular basis, the corps members shall collect recyclable materials from the participating homes for recycling. Materials may then be delivered for reimbursement to the appropriate entity as determined by the director. All funds shall be returned, with receipt, to the recycling program supervisor. The director shall establish an advisory committee made up of representatives of the recycling community, a major state-wide industry group interested in recycling, the department of ecology, public interest groups, and such other persons as the director determines. This advisory committee shall monitor the development of the project and advise on various policy matters. These may include the appropriate use of collected funds and the feasibility of involvement of the conservation corps in other elements of the recycling system, such as providing labor to recycling centers for the various tasks associated with recycling, the appropriate disbursement of recycled materials generated through the recycling collection routes, and other matters as they develop. Consistent with its monitoring function, the committee shall assist the director in the development of a report to the legislature discussing the feasibility of the program and any problems encountered, the appropriateness of utilization of conservation corps members in such a community recycling project, generation of funds and costs, and the possibility of expansion of the program on a broader scale. The director shall present such a report to the legislature within two years after the effective date of this act.

NEW SECTION. Sec. 12. (1) There is established a conservation corps within the department of game.

(2) Specific work project areas of the game conservation corps may include the following:

(a) Habitat development;

(b) Land clearing;

(c) Construction projects;

(d) Noxious weed control;

(e) Brush cutting;

(f) Reader board construction;

- (g) Painting;
- (h) Cleaning and repair of rearing ponds;
- (i) Fishtrap construction;
- (j) Brush clearance;
- (k) Spawning channel restoration;
- (l) Log removal;
- (m) Nest box maintenance and cleaning;
- (n) Fence building;
- (o) Winter game feeding and herding; and

(p) Such other projects as the director of game may determine. If appropriate facilities are available, the director of game may authorize carrying out projects which involve overnight stays.

NEW SECTION. Sec. 13. (1) There is established a conservation corps within the department of natural resources.

(2) Specific work project areas of the natural resources conservation corps may include the following:

- (a) Research assistance;
- (b) Recreation projects;
- (c) Slash disposal;
- (d) Pit site reclamation;
- (e) Road deactivation;
- (f) Animal damage control;
- (g) Reforestation;
- (h) Wood cutting;
- (i) Firewood systems development;
- (j) Noxious weed control;
- (k) Fence construction and maintenance;
- (l) Wood products manufacturing;
- (m) Riparian area cleaning;
- (n) Spring development for grazing;
- (o) Erosion control;
- (p) Control of fires; and

(q) Such other projects as the commissioner of public lands may determine. If appropriate facilities are available, the commissioner of public lands may authorize carrying out projects which involve overnight stays.

NEW SECTION. Sec. 14. (1) There is established a conservation corps within the department of fisheries.

(2) Specific work project areas of the fisheries conservation corps may include the following:

- (a) Stream rehabilitation;
- (b) Fish hatchery operation and maintenance;
- (c) Fish tagging; and

(d) Such other projects as the director of fisheries may determine. If appropriate facilities are available, the director of fisheries may authorize carrying out projects which involve overnight stays.

NEW SECTION. Sec. 15. (1) There is established a conservation corps within the department of agriculture.

(2) Specific work project areas of the agriculture conservation corps may include the following:

- (a) Insect detection and control;
- (b) Noxious weed removal;
- (c) Irrigation district canal maintenance; and

(d) Such other projects as the director of agriculture may determine. If appropriate facilities are available, the director of agriculture may authorize carrying out projects which involve overnight stays.

NEW SECTION. Sec. 16. (1) There is established a conservation corps within the state parks and recreation commission.

(2) Specific work project areas of the state parks and recreation conservation corps may include the following:

- (a) Restoration or development of park facilities;
- (b) Trail construction and maintenance;
- (c) Litter control;
- (d) Park and land rehabilitation;
- (e) Fire suppression;
- (f) Road repair; and

(g) Other projects as the state parks and recreation commission may determine. If appropriate facilities are available, the state parks and recreation commission may authorize carrying out projects which involve overnight stays.

NEW SECTION, Sec. 17. The services of corps members placed with agencies listed in section 1 of this act are exempt from unemployment compensation coverage under RCW 50.44.040(5) and the enrollees shall be so advised by the department.

NEW SECTION, Sec. 18. The state historic preservation officer shall review the state and national registers of historic places to identify publicly owned historic properties and sites within the state which are in need of rehabilitation or renovation and which could utilize parks and recreation conservation corps members in such rehabilitation or renovation. Any such tasks shall be performed in such a way as not to conflict with the historic character of the structure as determined by the state historic preservation officer.

Conservation corps members shall be made available for tasks identified by the state historic preservation officer in the rehabilitation and renovation of historic sites within the state.

NEW SECTION, Sec. 19. (1) The employment security department shall be the overall coordinator of the Washington conservation corps and have such powers as are provided by this chapter for the purposes of recruitment. The employment security department shall develop guidelines for work performance standards for the conservation corps programs of the agencies listed in section 1 of this act. The agencies may, at their option, utilize such standards in the development of their respective conservation corps programs.

(2) The employment security department shall be the sole recipient of federal funds for youth employment and conservation corps programs.

NEW SECTION, Sec. 20. The agencies listed in section 1 of this act shall convene a conservation corps coordinating council to meet as needed on the call of the employment security department to establish consistent work standards and placement and evaluation procedures of corps programs. The coordinating council shall be composed of administrative personnel of the implementing agencies. The coordinating council shall serve to reconcile problems that arise in the implementation of the corps programs and develop coordination procedures for emergency responses of corps members.

NEW SECTION, Sec. 21. The governor shall appoint an eight-member legislative oversight committee to recommend to the governor a plan for the distribution and use of new federal funds for youth employment and conservation corps programs. The senate majority leader and the speaker of the house of representatives shall each submit to the governor a list of eight legislators from which the governor shall appoint the members of the legislative oversight committee. The membership of the committee shall include equal representation of the two houses of the legislature and the two largest caucuses in each house.

NEW SECTION, Sec. 22. The Washington conservation corps shall cease to exist and sections 1 through 21 of this act shall expire on July 1, 1987, unless extended by law for an additional fixed period of time.

NEW SECTION, Sec. 23. (1) If Second Substitute House Bill No. 251 is enacted into law in the 1983 first extraordinary session of the legislature, section 5 of this act shall take effect and section 19 of this act shall be null and void.

(2) If Second Substitute House Bill No. 251 is not enacted into law, section 19 of this act shall take effect and section 5 of this act shall be null and void.

NEW SECTION, Sec. 24. 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. 25. Sections 1 through 21 of this act shall constitute a new chapter in Title 43 RCW."

On page 1, line 1 of the title, after "conservation;" strike the remainder of the title and insert "adding a new chapter to Title 43 RCW; creating a new section; and providing an expiration date."

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Hughes, the Senate concurred in the House amendments to Engrossed Second Substitute Senate Bill No. 3624.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Second Substitute Senate Bill No. 3624, as amended by the House.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Second Substitute Senate Bill No. 3624, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 35; nays, 11; absent, 1; excused, 2.

Voting yea: Senators Bauer, Bender, Bottiger, Clarke, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Hansen, Hayner, Hemstad, Hughes, Hurley, Lee, McDermott, McManus,

Moore, Owen, Patterson, Peterson, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 35.

Voting nay: Senators Barr, Benitz, Bluechel, Craswell, Deccio, Haley, Jones, McCastlin, Metcalf, Newhouse, Pullen - 11.

Absent: Senator Conner - 1.

Excused: Senators Kiskaddon, Quigg - 2.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3624, 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 Senator Bottiger, the Committee on Rules was relieved of further consideration of the listed Gubernatorial Appointments:

- GA 5, David J. DeLaitre - Commission for the Blind,
- GA 8, Phyllis M. Kenney - Corrections Standards Board,
- GA 21, Joseph J. Thompson - State Board of Pharmacy,
- GA 24, Thomas J. Manning - Board of Prison Terms and Paroles,
- GA 25, Karen B. Conoley - Board of Prison Terms and Paroles,
- GA 26, George W. Johnson - Board of Prison Terms and Paroles,
- GA 27, Mary Ellen Krug - Public Employment Relations Commission,
- GA 30, Manuel E. Costa - Sentencing Guidelines Commission,
- GA 31, Chief Arthur F. Clifford - Sentencing Guidelines Commission,
- GA 32, George A. Finkle - Sentencing Guidelines Commission,
- GA 33, Paul D. Hansen - Sentencing Guidelines Commission,
- GA 34, Warren Netherland - Sentencing Guidelines Commission,
- GA 36, Vaughn Hubbard - State Transportation Commission,
- GA 39, Irwin J. LeCocq - Board of Trustees, Western Washington University,
- GA 40, James C. Waldo - Board of Trustees, Western Washington University,
- GA 78, Otto Amen - Public Disclosure Commission,
- GA 86, I. A. Tony Weza - Public Disclosure Commission,
- GA 94, Warren L. Chinn - Washington Horse Racing Commission,
- GA 98, John H. Stender - Apprenticeship Council,
- GA 99, Norman F. Richardson - State Game Commission,
- GA 101, Dennis C. LeMaster - Forest Practices Appeals Board,
- GA 102, Jack L. Dierdorff - State Game Commission,
- GA 103, Cameron Sherwood - Personnel Appeals Board,
- GA 104, Richard A. Stablein - Executive Director, Data Processing Authority,
- GA 110, Philip R. Wittman - Board of Prison Terms and Paroles.

On motion of Senator Bottiger, the above listed Gubernatorial Appointments were advanced to second reading and placed on the second reading calendar.

#### MESSAGE FROM THE HOUSE

May 10, 1983

Mr. President:

The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 3864 with the following amendments:

On page 2, after line 11, add a new section as follows:

\*Sec. 2. Section 3, chapter 33, Laws of 1971 ex. sess. and RCW 15.13.270 are each amended to read as follows:

The provisions of this chapter relating to licensing shall not apply to persons making casual or isolated sales or for each place of business where gross sales do not exceed five hundred dollars per year, nor to any garden club or charitable nonprofit association conducting not more than three sales per year for not more than four consecutive days each of horticultural plants as defined in RCW 15.13.250 and which are grown by or donated to its members: PROVIDED, That such club or association shall apply to the director for a permit to conduct such sale. A two dollar fee shall be assessed for such permit.

All horticultural plants sold under such a permit issued by the director shall be subject to all the other provisions of this chapter except licensing as set forth herein."

Remember the remaining sections consecutively.

On page 2, line 19, after "dollars" insert ", except there shall be no license fee for each place of business where gross sales do not exceed five hundred dollars per year"

On page 1, line 5 of the title, after "15.13.280;" insert "amending section 3, chapter 33, Laws of 1971 ex. sess. and RCW 15.13.270;"

On page 5, beginning on line 2, strike all material through "thereunder," on line 27



On page 1, line 8 of the title, after "RCW:" insert "and" and beginning on line 9 of the title after "15.13.330" strike all material through "69.04.398: on line 10,

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTIONS

On motion of Senator Hansen, the Senate concurred in the House amendments to page 2, line 11; to page 2, line 19; and to page 1, line 5 to Engrossed Substitute Senate Bill No. 3864.

On motion of Senator Hansen, the Senate did not concur in the House amendments to page 5, line 2 and to page 1, line 8 of Engrossed Substitute Senate Bill No. 3864 and asks the House to recede therefrom.

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

There being no objection, the Senate resumed consideration of Substitute House Bill No. 235, as amended by the Senate, and placed on third reading after reconsideration and deferred April 28, 1983.

#### THIRD READING

SUBSTITUTE HOUSE BILL NO. 235, by Committee on Transportation (originally sponsored by Representative Martinis) (by Governor Spellman request)

Modifying gas tax provisions ('83-'85 Biennium).

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

Debate ensued.

#### MOTIONS

At 3:36 p.m., on motion of Senator Bottiger, the Senate was declared to be at ease.

The President called the Senate to order at 4:02 p.m.

On motion of Senator Bottiger, and there being no objection, further consideration of Substitute House Bill No. 235 was deferred.

On motion of Senator Bottiger, the Senate returned to the sixth order of business.

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENT

##### MOTION

On motion of Senator Warnke, the appointment of Warren L. Chinn as a member of the Washington Horse Racing Commission was confirmed.

##### APPOINTMENT OF WARREN L. CHINN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 46; nays, 1; absent, 1; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Woody, Zimmerman - 46.

Voting nay: Senator Haley - 1.

Absent: Senator Wojahn - 1.

Excused: Senator Kiskaddon - 1.

There being no objection, the Senate returned to the seventh order of business.

There being no objection, the Senate resumed consideration of Substitute House Bill No. 235, as amended by the Senate, deferred earlier today.

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Substitute House Bill No. 235, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute House Bill No. 235, as amended by the Senate, and the bill passed the Senate by the following vote:

Yeas, 25; nays, 23; excused, 1.

Voting yea: Senators Barr, Bauer, Benitz, Bluechel, Conner, Goltz, Granlund, Guess, Hansen, Hemstad, Jones, McDermott, McManus, Moore, Newhouse, Patterson, Peterson, Quigg, Sellar, Shinpoch, Thompson, Vognild, Warnke, Wojahn, Woody - 25.

Voting nay: Senators Bender, Bottiger, Clarke, Craswell, Deccio, Fleming, Fuller, Gaspard, Haley, Hayner, Hughes, Hurley, Lee, McCaslin, Metcalf, Owen, Pullen, Rasmussen, Rinehart, Talmadge, von Reichbauer, Williams, Zimmerman - 23.

Excused: Senator Kiskaddon - 1.

SUBSTITUTE HOUSE BILL NO. 235, 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 President returned the Senate to the sixth order of business.

## CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

### MOTION

On motion of Senator Warnke, the appointment of David J. DeLaitre as a member of the Commission for the Blind was confirmed.

### APPOINTMENT OF DAVID J. DeLAITRE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 48.

Excused: Senator Kiskaddon - 1.

### MOTION

On motion of Senator Granlund, the appointment of Phyllis M. Kenney as a member of the Corrections Standards Board was confirmed.

### APPOINTMENT OF PHYLLIS M. KENNEY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 48.

Excused: Senator Kiskaddon - 1.

### MOTION

On motion of Senator Rasmussen, the appointment of Joseph J. Thompson as a member of the State Board of Pharmacy was confirmed.

### APPOINTMENT OF JOSEPH J. THOMPSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 48.

Excused: Senator Kiskaddon - 1.

### MOTION

On motion of Senator Granlund, the appointment of Thomas J. Manning as a member of the Board of Prison Terms and Paroles was confirmed.

## APPOINTMENT OF THOMAS J. MANNING

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 48.

Excused: Senator Kiskaddon - 1.

## MOTION

On motion of Senator Granlund, the appointment of Karen B. Conoley as a member of the Board of Prison Terms and Paroles was confirmed.

## APPOINTMENT OF KAREN B. CONOLEY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 43; absent, 5; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Lee, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 43.

Absent: Senators Bottiger, Hayner, McDermott, Patterson, Pullen - 5.

Excused: Senator Kiskaddon - 1.

## MOTION

On motion of Senator Vognild, Senators Bottiger and McDermott were excused.

## MOTION

On motion of Senator Granlund, the appointment of George W. Johnson as a member of the Board of Prison Terms and Paroles was confirmed.

## APPOINTMENT OF GEORGE W. JOHNSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 45; absent, 1; excused, 3.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Lee, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 45.

Absent: Senator Hayner - 1.

Excused: Senators Bottiger, Kiskaddon, McDermott - 3.

## MOTION

At 4:49 p.m., on motion of Senator Shinpoch, the Senate adjourned until 9:00 a.m., Thursday, May 12, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

## EIGHTEENTH DAY

---

### MORNING SESSION

---

Senate Chamber, Olympia, Thursday, May 12, 1983

The Senate was called to order at 9:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Clarke, Conner, Deccio, Guess, Haley, McDermott, Talmadge and Woody. On motion of Senator Bluechel, Senators Clarke and Haley were excused. On motion of Senator Vognild, Senator Talmadge was excused.

The Sergeant at Arms Color Guard, consisting of Pages Deanna Niemeyer and Jeana Nuzam, presented the Colors. Reverend Theodore Marmo, pastor of St. Michael's Catholic Church of Olympia, offered the prayer.

#### MOTION

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

#### MESSAGE FROM THE GOVERNOR

May 11, 1983

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise you that on May 11, 1983, Governor Spellman approved the following Senate Bills entitled:

Second Substitute Senate Bill No. 3245

Relating to housing financing.

Senate Bill No. 3314

Relating to old age survivors' insurance.

Senate Bill No. 3416

Relating to crimes and punishments.

Substitute Senate Bill No. 3372

Relating to wildlife.

Senate Bill No. 3784

Relating to the Federal unemployment trust fund.

Sincerely,

MARILYN SHOWALTER, Counsel to the Governor

#### MESSAGE FROM THE HOUSE

May 11, 1983

Mr. President:

The House has passed the request of the Senate for a conference on SUBSTITUTE SENATE BILL NO. 4245, and the Speaker has appointed the following members as conferees: Representatives Rust, Brekke and Hankins.

DEAN R. FOSTER, Chief Clerk

#### SIGNED BY THE PRESIDENT

The President signed:

SECOND SUBSTITUTE SENATE BILL NO. 3624,

SUBSTITUTE SENATE BILL NO. 3817.

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

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENT

#### MOTION

On motion of Senator Vognild, the appointment of Mary Ellen Krug as a member of the Public Employment Relations Commission was confirmed.

### APPOINTMENT OF MARY ELLEN KRUG

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 39; absent, 7; excused, 3.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Craswell, Fleming, Gaspard, Goltz, Granlund, Hansen, Hayner, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Thompson, Vognilid, von Reichbauer, Warnke, Williams, Wojahn, Zimmerman - 39.

Absent: Senators Conner, Deccio, Fuller, Guess, Hemstad, McDermott, Woody - 7.  
Excused: Senators Clarke, Haley, Talmadge - 3.

### APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence in the Senate Chamber of Mrs. Barbara Nielson and her three children, Lisa, Andy and Tyson, the guests of Senator Dick Hemstad and Senator Bill Fuller, and appointed Senators Hansen, Williams, Hayner, Shinpoch and Fleming as a committee of honor to escort the honored guests, the family of Mt. Everest climber, Larry Nielson, to the rostrum.

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

### MOTION

On motion of Senator Hemstad, the following resolution was adopted:

#### SENATE RESOLUTION 1983-95

By Senators Hemstad, Fuller, Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognilid, von Reichbauer, Warnke, Williams, Wojahn, Woody and Zimmerman; Lieutenant Governor John A. Cherberg; Sid Snyder, Secretary of the Senate; Bill Gleason, Assistant Secretary of the Senate; and Ole Scarpelli, Sergeant at Arms

WHEREAS, Larry Nielson, who teaches at Washington Middle School in Olympia, Washington, scaled the summit of Mt. Everest on May 7, 1983; and

WHEREAS, He became the first American to reach the world's highest peak without using extra oxygen, and only three other people have previously accomplished this feat; and

WHEREAS, Larry Nielson's courage and endurance will serve as a lasting inspiration to his students, the residents of this state, and the nation; and

WHEREAS, His momentous achievement has focused national and international attention on the State of Washington and has filled the state with great pride;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That the Senate extends its warmest congratulations and sincere appreciation to Larry Nielson for his historic climb; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately forwarded to Larry Nielson upon his return to Olympia.

### MOTION

On motion of Senator Fuller, all members and the Lieutenant Governor will be added as additional sponsors of Senate Resolution 1983-95.

With permission of the Senate, business was suspended to permit Mrs. Nielson to address the Senate.

The committee of honor escorted the honored guests from the Senate Chamber and the committee was discharged.

### MOTION

At 9:23 a.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 11:27 a.m.

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

## CONFIRMATION OF GUBERNATORIAL APPOINTMENT

## MOTION

On motion of Senator Peterson, the appointment of Vaughn Hubbard as a member of the State Transportation Commission was confirmed.

## APPOINTMENT OF VAUGHN HUBBARD

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 46; absent, 3.

Voting yeas: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 46.

Absent: Senators Deccio, McDermott, Quigg - 3.

There being no objection, the President reverted the Senate to the fourth order of business.

## MESSAGE FROM THE HOUSE

May 10, 1983

Mr. President:

The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 3434 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 139, Laws of 1981 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 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 must have not less than fifteen bona fide active members each with the right to an equal vote in the election of the officers, and 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. 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.

Notwithstanding any other provision of this subsection (14), where any contest of chance is conducted by a radio or television station in connection with the business promotions of the



station or other businesses under subsections (d) and (e) hereof, such contests of chance may be conducted on an ongoing basis if the prizes awarded or accumulated to award do not exceed thirty dollars a day or five thousand dollars a year in the aggregate for all outlets of the sponsoring organizations.

Notwithstanding any other provision of this subsection (14), where any contest of chance is held by or on behalf of in-state retail grocery outlets in connection with business promotions authorized under subsections (d) and (e) hereof, no such in-state retail grocery outlet may conduct more than one such contest of chance during each calendar year and the period of the contest of chance and its promotion shall not extend for more than seven consecutive days: PROVIDED, That if the sponsoring organization has more than one outlet in the state such contests of chance 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 contest of chance in connection with the initial opening of any such outlet.

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. 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; and

(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.

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; 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 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 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, taxes, license fees, and for the purchase cost of prizes given as winnings do not exceed ~~((five))~~ 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 event shall not be held on the premises of a licensee, as defined in RCW 66.20.160, more than four calendar days per calendar month; and (e) 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.

Sec. 2. Section 2, chapter 139, Laws of 1981 and RCW 9.46.030 are each amended to read as follows:

(1) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct bingo games, raffles, amusement games, and fund raising events, and to utilize punch boards and pull-tabs and to allow their premises and facilities to be used by only members ~~((and)), their guests, and members of a chapter or unit organized under the same state, regional, or national charter or constitution,~~ to play social card games authorized by the commission, when licensed, conducted or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(2) Bona fide charitable or bona fide nonprofit organizations organized primarily for purposes other than the conduct of raffles, are hereby authorized to conduct raffles without obtaining a license to do so from the commission when such raffles are held in accordance with all other requirements of chapter 9.46 RCW, other applicable laws, and rules of the commission; when gross revenues from all such raffles held by the organization during the calendar year do not exceed ~~((five))~~ ten thousand dollars; and when tickets to such raffles are sold only to, and winners are determined only from among, the regular members of the organization conducting the raffle: PROVIDED, That the term members for this purpose shall mean only those persons who have become members prior to the commencement of the raffle and whose qualification for membership was not dependent upon, or in any way related to, the purchase of a ticket, or tickets, for such raffles.

(3) Bona fide charitable or bona fide nonprofit organizations organized primarily for purposes other than the conduct of such activities are hereby authorized to conduct bingo, raffles, and amusement games, without obtaining a license to do so from the commission but only when:

(a) Such activities are held in accordance with all other requirements of chapter 9.46 RCW as now or hereafter amended, other applicable laws, and rules of the commission; and

(b) Said activities are, alone or in any combination, conducted no more than twice each calendar year and over a period of no more than twelve consecutive days each time, notwithstanding the limitations of RCW 9.46.020(2) as now or hereafter amended: PROVIDED, That a raffle conducted under this subsection may be conducted for a period longer than twelve days; and

(c) Only bona fide members of that organization, who are not paid for such services, participate in the management or operation of the activities; and

(d) Gross revenues to the organization from all the activities together ~~((does))~~ do not exceed ~~((five))~~ ten thousand dollars during any calendar year; and

(e) All revenue therefrom, after deducting the cost of prizes and other expenses of the activity, is devoted solely to the purposes for which the organization qualifies as a bona fide charitable or nonprofit organization; and

(f) The organization gives notice at least five days in advance of the conduct of any of the activities to the local police agency of the jurisdiction within which the activities are to be conducted of the organization's intent to conduct the activities, the location of the activities, and the date or dates they will be conducted; and

(g) The organization conducting the activities maintains records for a period of one year from the date of the event which accurately show at a minimum the gross revenue from each activity, details of the expenses of conducting the activities, and details of the uses to which the gross revenue therefrom is put.

(4) The legislature hereby authorizes any person, association or organization operating an established business primarily engaged in the selling of food or drink for consumption on the premises to conduct social card games and to utilize punch boards and pull-tabs as a commercial stimulant to such business when licensed and utilized or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(5) The legislature hereby authorizes any person to conduct or operate amusement games when licensed and operated pursuant to the provisions of this chapter and rules and regulations adopted by the commission at such locations as the commission may authorize.

(6) The legislature hereby authorizes any person, association, or organization to conduct sports pools without a license to do so from the commission but only when the outcome of which is dependent upon the score, or scores, of a certain athletic contest and which is conducted only in the following manner:

(a) A board or piece of paper is divided into one hundred equal squares, each of which constitutes a chance to win in the sports pool and each of which is offered directly to prospective contestants at one dollar or less; and

(b) The purchaser of each chance or square signs his or her name on the face of each square or chance he or she purchases; and

(c) At some time not later than prior to the start of the subject athletic contest the pool is closed and no further chances in the pool are sold; and

(d) After the pool is closed a prospective score is assigned by random drawing to each square; and

(e) All money paid by entrants to enter the pool less taxes is paid out as the prize or prizes to those persons holding squares assigned the winning score or scores from the subject athletic contest; and

(f) The sports pool board is available for inspection by any person purchasing a chance thereon, the commission, or by any law enforcement agency upon demand at all times prior to the payment of the prize; and

(g) The person or organization conducting the pool is conducting no other sports pool on the same athletic event; and

(h) The sports pool conforms to any rules and regulations of the commission applicable thereto.

(7) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct, without the necessity of obtaining a permit or license to do so from the commission, golfing sweepstakes permitting wagers of money, and the same shall not constitute such gambling or lottery as otherwise in this chapter prohibited, or be subject to civil or criminal penalties thereunder, but this only when the outcome of such golfing sweepstakes is dependent upon the score, or scores, or the playing ability, or abilities, of a golfing contest between individual players or teams of such players, conducted in the following manner:

(a) Wagers are placed by buying tickets on any players in a golfing contest to "win", "place" or "show" and those holding tickets on the three winners may receive a payoff similar to the system of betting identified as parimutuel, such moneys placed as wagers to be used primarily as winners proceeds, except moneys used to defray the expenses of such golfing sweepstakes or otherwise used to carry out the purposes of such organization; or

(b) Participants in any golfing contest(s) pay a like sum of money into a common fund on the basis of attaining a stated number of points ascertainable from the score of such participants, and those participants attaining such stated number of points share equally in the moneys in the common fund, without any percentage of such moneys going to the sponsoring organization; and

(c) Participation is limited to members of the sponsoring organization and their bona fide guests.

(8) The legislature hereby authorizes bowling establishments to conduct, without the necessity of obtaining a permit or license to do so, as a commercial stimulant, a bowling activity which permits bowlers to purchase tickets from the establishment for a predetermined and posted amount of money which tickets are then selected by the luck of the draw and the holder of the matching ticket so drawn has an opportunity to bowl a strike and if successful receives a predetermined and posted monetary prize: PROVIDED, That all sums collected by the establishment from the sale of tickets shall be returned to purchasers of tickets and no part of the proceeds shall inure to any person other than the participants winning in the game or a recognized charity. The tickets shall be sold, and accounted for, separately from all other sales of the establishment. The price of any single ticket shall not exceed one dollar. Accounting records shall be available for inspection during business hours by any person purchasing a chance thereon, by the commission or its representatives, or by any law enforcement agency.

(9) (a) The legislature hereby authorizes any bona fide charitable or nonprofit organization which is licensed pursuant to RCW 66.24.400, and its officers and employees, to allow the use of the premises, furnishings, and other facilities not gambling devices of such organization by members of the organization, and members of a chapter or unit organized under the same state, regional, or national charter or constitution, who engage as players in the following types of gambling activities only:

(i) Social card games as defined in RCW 9.46.020(20)(a), (b), (c), and (d); and

(ii) Social dice games, which shall be limited to contests of chance, the outcome of which are determined by one or more rolls of dice.

(b) Bona fide charitable or nonprofit organizations shall not be required to be licensed by the commission in order to allow use of their premises in accordance with this subsection; however, the following conditions must be met:

(i) No organization, corporation, or person shall collect or obtain or charge any percentage of or shall collect or obtain any portion of the money or thing of value wagered or won by any of the players: PROVIDED, That a player may collect his or her winnings; and

(ii) No organization, corporation, or person shall collect or obtain any money or thing of value from, or charge or impose any fee upon, any person which either enables him or her to play or results in or from his or her playing: PROVIDED, That this subparagraph (ii) shall not

preclude collection of a membership fee which is unrelated to participation in gambling activities authorized under this subsection.

The penalties provided for professional gambling in this chapter shall not apply to the activities authorized by this section when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations of the commission.

Sec. 3. 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 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 does not discriminate in full membership on the basis of sex and race, and 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))~~ ten 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, after "gambling;" insert:

"modifying the definition of membership, the eligibility for exemption from the gambling tax and the maximum allowable gross receipts for nonprofit organizations engaged in gambling activities;"

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

Senator Vognild moved that the Senate do concur in the House amendments to Engrossed Substitute Senate Bill No. 3434.

#### POINT OF ORDER

Senator Rasmussen: "Mr. President, I raise scope and object on the House amendments, and I would like to say that it's getting into the grocery business on a gambling bill, and I don't think that amendment belongs on this."

Debate ensued.

#### MOTION

On motion of Senator Vognild, and there being no objection, his motion to concur in the House amendments to Engrossed Substitute Senate Bill No. 3434 was withdrawn.

## MOTION

Senator Vognild moved that the Senate insist on its position on Engrossed Substitute Senate Bill No. 3434 and asks the House for a conference thereon.

## POINT OF ORDER

Senator Rasmussen: "Mr. President, the scope and object still stands then if it comes back in the same position—even on a conference?"

## REPLY BY THE PRESIDENT

President Cherberg: "A Report of Conference Committee—it would still be open. In the event of a Free Conference Committee Report, the point of scope and object would only be available to any member of the Senate if an amendment or change in the title is necessary."

## PARLIAMENTARY INQUIRY

Senator Pullen: "In the event that the measure comes out of the conference committee with the conference committee recommending that the House amendment be adopted, would Senator Rasmussen's point of order automatically be before the body once again when it returns to us or must he once again raise the question of scope and object at that point?"

## REPLY BY THE PRESIDENT

President Cherberg: "The President believes it will be necessary for the point to be raised again due possibly to intervening business or action on the measure."

Further debate ensued.

The President declared the question before the Senate to be the motion by Senator Vognild that the Senate insist on its position regarding Engrossed Substitute Senate Bill No. 3434 and to request of the House a conference thereon.

The motion by Senator Vognild carried on a rising vote.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Substitute Senate Bill No. 3434, and the House amendments thereto: Senators Vognild, Williams and Sellar.

## MOTION

On motion of Senator Shinpoch, the Conference Committee appointments were confirmed.

## REPORT OF CONFERENCE COMMITTEE

## MAJORITY REPORT

May 11, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 240, revising procedures for mail voting, have had the same under consideration, and we recommend that the following Senate amendments be adopted:

Page 1, line 6 of the title;

Page 6, beginning on line 23;

Page 2, line 1;

Page 2, line 20;

Page 2, line 24;

Page 3, line 2;

Page 3, line 30;

Page 5, line 10;

Page 5, following line 26 of the engrossed bill (originally by Senate Judiciary Committee—See Senate Journal Volume I, pages 1413-1415);

And that the following Senate amendments to ESHB 240 not be adopted:

Page 2, line 5;

Page 2, line 19;

Page 3, line 12;

Page 3, line 35;

Page 3, line 35;

Page 4, line 12;

Page 4, line 12;

Page 4, line 23;

Page 5, line 21;

Page 5, after line 26 (originally by Senators Sellar, McCaslin, Quigg and Metcalf--See Senate Journal Volume I, pages 1413-1415);

And that the bill, amended as recommended herein, do pass.

Signed by: Senators Rinehart and Talmadge; Representatives Pruitt and Tanner.

#### MINORITY REPORT NO. 1

Minority Report: All Senate amendments should be adopted.

Signed by: Senator Pullen.

#### MINORITY REPORT NO. 2

Minority Report: Differ from the majority report in that amendment on page 3, line 30 should not be adopted and in that amendments on page 2, line 5; page 3, line 12; page 3, line 35; page 4, line 23; should be adopted:

Signed by: Representative Barnes.

#### MOTION

Senator Talmadge moved that the Report of the Conference Committee on Engrossed Substitute House Bill No. 240 be adopted.

#### POINT OF ORDER

Senator Newhouse: "Is this report properly a Report of the Conference Committee or should it be a Free Conference Report with the diverse language from both bodies?"

#### REPLY BY THE PRESIDENT

President Cherberg: "The President believes that the report is properly before the Senate inasmuch as the conference committee has adopted certain amendments and declined to adopt certain others."

Further debate ensued.

#### PARLIAMENTARY INQUIRY

Senator Rasmussen: "My question, Mr. President--looking at this as a House Bill, is it possible to rerefer this to a Senate committee?"

#### REPLY BY THE PRESIDENT

President Cherberg: "Senator Rasmussen, the motion by Senator Talmadge is a positive motion in an attempt to bring the two houses together, and the President believes that your motion to refer the measure to a committee would be not properly before the Senate. If Senator Talmadge's motion fails, the bill would be returned to the conferees."

#### MOTION

On motion of Senator Vognild, Senator McDermott was excused.

Senator Granlund demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Talmadge to adopt the Report of the Conference Committee on Engrossed Substitute House Bill No. 240.

Further debate ensued.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Talmadge failed and the Report of the Conference Committee on Engrossed Substitute House Bill No. 240, was not adopted by the following vote: Yeas, 20; nays, 28; excused, 1.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hemstad, Hughes, McManus, Owen, Peterson, Rinehart, Talmadge, Thompson, Warnke, Williams, Wojahn - 20.

Voting nay: Senators Barr, Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hurley, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Newhouse, Patterson, Pullen, Quigg, Rasmussen, Sellar, Shinpoch, Vognild, von Reichbauer, Woody, Zimmerman - 28.

Excused: Senator McDermott - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 240 was returned to the Conference Committee.

## MOTION

Senator Rasmussen moved that Engrossed Substitute House Bill No. 240 be referred to the Committee on Judiciary.

## MOTION

At 12:00 noon, on motion of Senator Shinpoch, the Senate recessed until 1:30 p.m.

## AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

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

## CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

## MOTION

On motion of Senator Talmadge, the appointment of Manuel E. Costa as a member of the Sentencing Guidelines Commission was confirmed.

## APPOINTMENT OF MANUEL E. COSTA

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 39; absent, 9; excused, 1.

Voting yea: Senators Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Rasmussen, Sellar, Shinpoch, Talmadge, Thompson, Vognlid, von Reichbauer, Williams, Wojahn, Zimmerman - 39.

Absent: Senators Barr, Bauer, Deccio, Granlund, Hurley, Quigg, Rinehart, Warnke, Woody - 9.

Excused: Senator McDermott - 1.

## MOTION

On motion of Senator Talmadge, the appointment of Chief Arthur F. Clifford as a member of the Sentencing Guidelines Commission was confirmed.

## APPOINTMENT OF CHIEF ARTHUR F. CLIFFORD

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 43; absent, 6.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Sellar, Shinpoch, Talmadge, Thompson, Vognlid, von Reichbauer, Williams, Wojahn, Zimmerman - 43.

Absent: Senators Bauer, Deccio, Granlund, Rinehart, Warnke, Woody - 6.

## MOTION

On motion of Senator Shinpoch, the Senate advanced to the eighth order of business.

## MOTION

On motion of Senator Shinpoch, the following resolution was adopted:

## SENATE RESOLUTION 1983-15

By Senators Shinpoch, Williams and Rasmussen

WHEREAS, The art of painting on porcelain requires great skill, intensive training, and great artistic ability to produce the beautiful porcelain art people the world over enjoy so much; and

WHEREAS, Throughout history, the art of porcelain painting has provided a medium for the preservation of history and culture and has been recognized as a fine art by all of the world's great civilizations; and

WHEREAS, Growing numbers of American artists have studied, explored, and enhanced the historic skills of porcelain painting, adding immeasurably to the cultural enhancement of our nation; and



WHEREAS, The efforts of these artists bring rich beauty and expanded dimensions to our national culture for the benefit and enrichment of the lives of all citizens;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That August, 1983 be commemorated as Porcelain Art Month in recognition of the beautiful artistic expression and contributions porcelain art has made to our culture and to the cultures of other civilizations; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be forwarded to Lorraine Ditsworth, President of Porcelain Artists of the Great Northwest, as a reflection of our high regard for porcelain art.

#### MOTION

On motion of Senator Bottiger, the following resolution was adopted:

#### SENATE RESOLUTION 1983-23

By Senators Bottiger, Gaspard and Warnke

WHEREAS, The Orting High School Cardinals are a high quality basketball team; and

WHEREAS, Mike Porco, Tom White, Paul Hill, George Shrum, Don deVries, Dale deVries, Brian Carter, Jim Silvermail, Dave Vernon, Wade Lohman, Stu Louderback and Chuck Cope are members of the Orting Cardinals who played exciting basketball during the 1982-83 basketball season; and

WHEREAS, The Orting Cardinals are superbly coached by Head Coach Jerry Clyde and Assistant Coach Steve Weller, and assisted by Team Manager Kory Floyd; and

WHEREAS, These players and coaches worked together to compile an impressive 1982-83 Orting High School basketball team season record of 23 wins and 3 losses; and

WHEREAS, The Orting Cardinals won the 1982-83 Nisqually League Championship, recording 14 wins and only 1 defeat; and

WHEREAS, The Orting Cardinals advanced to the 1983 Class A State Basketball Tournament; and

The Orting Cardinals won all 4 rounds of the 1983 Class A Basketball Tournament; and

WHEREAS, The Orting Cardinals defeated the Lynden Lions, another quality basketball team, by a score of 47 to 45 to win the 1983 State Class A Basketball Championship on March 5, 1983;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That congratulations for this accomplishment be extended to the members of the Orting Cardinals basketball team and their coaches; and

BE IT FURTHER RESOLVED, That the Orting Cardinals basketball team and its coaching staff be highly commended for this accomplishment which has made the students of Orting High School, the citizens of Orting, and the State of Washington very proud; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to each member of the Orting Cardinals basketball team, its manager and its coaching staff.

#### MOTION

On motion of Senator Bottiger, Senator Warnke's name will be added as an additional sponsor of Senate Resolution 1983-23.

#### MOTION

On motion of Senator Patterson, the following resolution was adopted:

#### SENATE RESOLUTION 1983-25

By Senators Patterson, McManus, Warnke, Bottiger, Jones, Sellar, Owen, Quigg, Newhouse, Pullen, Vognild, Zimmerman, Barr, Lee, Benitz, Rinehart, Gaspard, Fleming, von Reichbauer, McDermott and Guess

WHEREAS, The Washington State University Varsity basketball team, Head Coach George Raveling and the remainder of the coaching staff have brought excellent national attention to this great state by qualifying for and participating in

two exciting games of the National Collegiate Athletic Association's 1983 Basketball Tournament; and

WHEREAS, The Cougar basketball squad and coaches displayed the highest standards of sportsmanship and good conduct in the team's great victory over Weber State of Utah and their courageously fought battle against Virginia; and

WHEREAS, It is altogether fitting that these young men and their coaches be accorded proper recognition and heartfelt congratulations by the Washington State Senate on behalf of all this state's citizens for their praiseworthy and inspiring efforts;

NOW, THEREFORE, BE IT RESOLVED, That the Senate extend its sincere best wishes to the Washington State University Cougars' Varsity basketball team, Head Coach George Raveling and the remainder of the coaching staff for these significant athletic achievements for which all Washingtonians can be justly proud; and

BE IT FURTHER RESOLVED, That the Senate also extend its recognition to the Washington State University student body and faculty and the Pullman community for the untiring support they have given this outstanding basketball team and coaches.

#### MOTION

On motion of Senator Wojahn, the following resolution was adopted:

#### SENATE RESOLUTION 1983-28

By Senators Wojahn and Hayner

WHEREAS, Representing the United States in the Olympic Games is the goal and ambition of thousands of amateur athletes; and

WHEREAS, Their participation in the Olympic Games is the focus of world-wide attention and admiration; and

WHEREAS, Our state capital, the city of Olympia, appropriately has the honor of hosting the first United States Women's Marathon Trials for the 1984 Olympic Games; and

WHEREAS, More than 200 women athletes are expected to participate in the trials which will attract some 60,000 spectators to the Puget Sound area; and

WHEREAS, National attention will center on Olympia during Marathon Race Week, May 6 through May 13, 1984; and

WHEREAS, The Women's Marathon Trials Association is opening offices in Olympia and Seattle to ensure the Marathon Race Week will have the greatest success for both participants and the public;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate salutes the fine efforts of the Women's Marathon Trials Association and that our commendations be immediately transmitted to the leaders of the association; and

BE IT FURTHER RESOLVED, That the Washington State Senate urges the public, local governments and community organizations to support the activities of the Women's Marathon Trials Association and the 1984 Women's Marathon Trials in Olympia.

#### MOTION

On motion of Senator Conner, the following resolution was adopted:

#### SENATE RESOLUTION 1983-34

By Senators Conner, Granlund, Bottiger, Hurley, Barr, Bauer, Bender, Benitz, Bluechel, Clark, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody and Zimmerman; Lieutenant Governor John A. Cherberg; Sid Snyder, Secretary of the Senate; Bill Gleason, Assistant Secretary of the Senate and Ole Scarpelli, Sergeant at Arms

WHEREAS, Women throughout this state and nation who served in the Women's Army Corps rendered many years of steadfast and honorable service to our country in war and in peace at home and abroad; and

WHEREAS, The unheralded accomplishments and vital contributions of the thousands of Women's Army Corps veterans who dedicated their effort to our nation's defense deserve recognition; and

WHEREAS, Veterans of the Women's Army Corps have continued their invaluable tradition of service as members of the Women's Army Corps Veterans Association; and

WHEREAS, Members of the Evergreen chapter in this state support a variety of public service projects including providing volunteer services at the American Lake Veterans Medical Center in Tacoma; and

WHEREAS, Members of the Women's Army Corps Veterans Association, Evergreen chapter, are now planning a celebration of the forty-first anniversary of the establishment of the Women's Army Corps in 1942;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That the governor is requested to proclaim May 14, 1983, as "Women's Army Corps Veterans Day"; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to the Honorable Governor John D. Spellman and to Evelyn P. Smathers, president of the Evergreen chapter of the Women's Army Corps Veterans Association.

#### MOTION

On motion of Senator Conner, all members and the Lieutenant Governor will be added as additional sponsors of Senate Resolution 1983-34.

#### MOTION

On motion of Senator Rasmussen, the following resolution was adopted:

#### SENATE RESOLUTION 1983-40

By Senators Vognild, Bottiger, Rasmussen, Wojahn, Goltz, Bender, Woody and Hughes

WHEREAS, Many residents of the State of Washington are currently engaged in railroad employment or have engaged in such employment in the past and look to the railroad retirement system to provide benefits when they retire; and

WHEREAS, Many residents of the State of Washington are currently receiving benefits under the railroad retirement system and rely on such benefits to a large extent to meet the normal costs of living; and

WHEREAS, Any reduction in the amount of benefits received by beneficiaries under the railroad retirement system would have a drastic effect on the ability of these beneficiaries to meet normal living expenses; and

WHEREAS, Projections of the financial condition of the railroad retirement system show that unless corrective action is taken, monthly annuities will have to be reduced significantly beginning with the annuity checks to be sent out October 1, 1983, with additional reductions required in the future; and

WHEREAS, A bill, H.R. 1646, the Railroad Retirement Solvency Act of 1983, was introduced in the United States House of Representatives on February 24, 1983, by Mr. Florio; and

WHEREAS, H.R. 1646 would resolve the short-term and long-term financial problems of the railroad retirement system through an even-handed approach of tax increases on railroad employers and employees and adjustments of benefits to current and future beneficiaries, thereby preserving and protecting the rights and expectations of those currently receiving benefits and those who would receive such benefits in the future;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That it is the sense of the Legislature of the State of Washington that the members of Congress representing the State of Washington should actively support and vote favorably on H.R. 1646, the Railroad Retirement Solvency Act of 1983.

#### MOTION

On motion of Senator Pullen, the following resolution was adopted:

## SENATE RESOLUTION 1983-42

By Senators McDermott, Pullen, Fleming and Talmadge

WHEREAS, Chess, a game that has challenged human minds since the sixth century, has become a remarkably unique blend of game, sport, art, science, and culture; and

WHEREAS, The people of the state of Washington are proud of a citizen of this state and nation, Yasser Seirawan, the twenty-three year old who is the United States chess co-champion, and his continuing brilliant achievements as a chess player; and

WHEREAS, Yasser Seirawan, who learned to play chess in Seattle frequenting the Last Exit in the University District, continues to spend his time in Seattle, when he is not traveling to places like Europe and South America, sharpening his chess skills through disciplined training to prepare for interzonal tournaments and ultimately the world championship; and

WHEREAS, While Yasser attended Garfield High School in Seattle and helped the Garfield chess team achieve two consecutive state championships; and

WHEREAS, Yasser Seirawan has made enormous contributions to the growing interest in the enriching and challenging game of chess in this state; and

WHEREAS, Observers predict that Yasser Seirawan, who has defeated world chess champion Anatoly Karpov twice and has a lifetime plus score against the champion, will eventually become world champion;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the state of Washington, That Yasser Seirawan be honored for his notable accomplishments as a chess player and be encouraged in the achievement of his goals; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to Yasser Seirawan, the Washington Chess Federation, and the United States Chess Federation.

## MOTION

On motion of Senator McManus, the following resolution was adopted:

## SENATE RESOLUTION 1983-47

By Senators McManus, McDermott and Hemstad

WHEREAS, Washington's accredited independent colleges and universities represent a valuable resource to the residents of this state; and

WHEREAS, These independent institutions of higher education often offer programs in localities not directly served by a resident public program or institution of higher learning; and

WHEREAS, Taking full advantage of programs currently offered would encourage, promote, and facilitate the coordination of educational services that are beneficial to the citizens of the state of Washington and would help prevent unnecessary duplication of educational programs among public institutions of higher education; and

WHEREAS, It is the judgment of the Senate that all appropriate steps should be taken which would motivate cooperative educational efforts among all of the institutions of higher education in the state;

NOW, THEREFORE BE IT RESOLVED, By the Senate, That the Council for Postsecondary Education shall explore the feasibility of contracting for educational services with accredited independent institutions of higher education located in this state and evaluate the cost effectiveness of the use of such contractual arrangements; and

BE IT FURTHER RESOLVED, That the Council shall identify the localities in the state and the instructional program areas in which contracting for instructional program services would be a cost effective way of meeting identified needs; and

BE IT FURTHER RESOLVED, That the Council, in cooperation with the Office of the Attorney General, shall determine approaches to contracting for educational services which would meet constitutional requirements; and

BE IT FURTHER RESOLVED, That the Council shall report its findings to the Senate along with its recommendations by November, 1983.

## MOTION

On motion of Senator Vognild, the following resolution was adopted:

## SENATE RESOLUTION 1983-57

By Senators Vognild and Quigg

WHEREAS, Arson has increased dramatically in recent years in Washington State, and in the United States as a whole, causing annual losses to the nation of more than one thousand lives, including fire fighters, and hundreds of millions of dollars in property damage; and

WHEREAS, Arson is a complex problem, difficult to detect, having a variety of motives, and interconnections with other criminal activities as complicating factors; and

WHEREAS, The people of Washington State and the local jurisdictions confronted by arson could benefit from increased efforts by the state to coordinate and provide expertise in the fight against arson; and

WHEREAS, It has become apparent from past history that marine fires, and in particular ship fires, pose a grave hazard to life and property in the state of Washington; and

WHEREAS, At the present time there are only two municipalities on Puget Sound that have any type of marine fire fighting service; and

WHEREAS, The legislature finds that fire protection services in general have lacked a comprehensive state level focus; and

WHEREAS, This has resulted in a lack of cooperation and coordination between local and state agencies;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That there is hereby created a special committee of the Senate, to be known as the senate oversight committee on fire protection, to investigate the causes of arson and propose measures to reduce the incidence and impact of arson in the state and to study marine fire protection and statewide fire focus and coordination. The committee shall consist of five senators, not more than three of whom may be members of the majority party. The members shall be appointed by the president, subject to the confirmation of the Senate; and

BE IT FURTHER RESOLVED, Before the close of the 1983 session, the president shall appoint all of the committee members to a single term beginning June 1, 1983, and ending January 9, 1984, and shall designate one member to serve as chairman. The committee shall complete its study and submit a report of its findings and recommendations to the Senate at the next regular session of the legislature; and

BE IT FURTHER RESOLVED, The committee shall establish an advisory board of not less than five members to assist the committee in its investigation and evaluation. Advisory board members shall be chosen on the basis of expertise and experience in the areas to be investigated, and shall be available to provide consultation and advice, and to recommend additional resource persons to be selected, as needed, from a list of fire prevention organizations. The advisory board shall be reimbursed for any authorized expenses it may incur.

## MOTION

On motion of Senator Haley, the following resolution was adopted:

## SENATE RESOLUTION 1983-69

By Senators Haley and Bottiger

WHEREAS, Deep water wells in a community near Tacoma known as American Lake Gardens have been found to be contaminated by toxic liquid hydrocarbons; and

WHEREAS, These hydrocarbons may be cancer causing to animals and humans; and

WHEREAS, American Lake Gardens is bordered on three sides by McChord Air Force Base; and

WHEREAS, McChord Air Force Base disposed of many kinds of hydrocarbons over many years in a site adjoining American Lake Gardens; and

WHEREAS, It is very likely the toxic hydrocarbons contaminating the American Lake Gardens wells came from this McChord Air Force Base site; and

WHEREAS, This McChord Air Force Base site should be cleaned up as soon as possible; and

WHEREAS, The Environmental Protection Agency superfund requires fifty percent of the dollars spent cleaning up public sites to come from the state;

NOW, THEREFORE, BE IT RESOLVED, That the federal government should take immediate and extensive steps to determine the full extent and the true source of this contamination; and

BE IT FURTHER RESOLVED, That if the true source of this contamination be found to arise from McChord Air Force Base, the federal government shall bear the full cost of cleaning up this site and assume full responsibility for all damages and expenses to American Lake Gardens residents and private property; and

BE IT FURTHER RESOLVED, That a copy of this resolution be delivered to the Honorable Ronald Reagan, President of the United States; the Washington State congressional delegation; the State Department of Ecology and the Environmental Protection Agency.

#### MOTION

On motion of Senator Quigg, the following resolution was adopted:

#### SENATE RESOLUTION 1983-71

By Senators Quigg, Owen and Conner

WHEREAS, The Port of Grays Harbor is the only deep water port on the coast of the State of Washington; and

WHEREAS, Many counties rely on the Port of Grays Harbor for the transportation of the tremendous renewable timber resources in the area; and

WHEREAS, Increased shipments of forest products are being made to Pacific rim nations, including Japan, Korea, and the People's Republic of China; and

WHEREAS, Shipments of these commodities will contribute significantly to this nation's balance of trade; and

WHEREAS, The United States Army Corps of Engineers has just completed a feasibility study on the improvement of navigation facilities in Grays Harbor including the deepening of navigation channels from 30 to 38 feet; and

WHEREAS, Present harbor conditions prevent larger and more cost-effective vessels in the trade from departing fully laden from Grays Harbor; and

WHEREAS, On December 14, 1982, the Board of Engineers for rivers and harbors of the United States Army Corps of Engineers recommended the modification of existing federal navigation projects at Grays Harbor, including the deepening and widening of channels, replacement of bridges, and the construction of new turning basins;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That the federal government be urged to approve the proposed modification of existing federal navigation projects at Grays Harbor; and

BE IT FURTHER, RESOLVED, That the Congress of the United States also be urged to appropriate adequate funding in fiscal years 1984 and 1985 to continue the planning and engineering of channel improvements in Grays Harbor while formal authorization of the project is being sought; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately forwarded 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, and each member of Congress from the State of Washington.

#### MOTION

At 2:02 p.m., on motion of Senator Bottiger, the Senate adjourned until 10:00 a.m., Friday, May 13, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

## NINETEENTH DAY

---

### MORNING SESSION

---

Senate Chamber, Olympia, Friday, May 13, 1983

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Barr, Bauer, Bender, Bottiger, Clarke, Deccio, Hughes, Hurley, Kiskaddon, Owen, Quigg, Rasmussen, Williams and Wojahn.

The Sergeant at Arms Color Guard, consisting of Pages Ron Eckroth and Janet Christensen, presented the Colors. Reverend Theodore Marmo, pastor of St. Michael's Catholic Church of Olympia, offered the prayer.

#### MOTION

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

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

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

On motion of Senator Talmadge, the appointment of George A. Finkle as a member of the Sentencing Guidelines Commission was confirmed.

#### APPOINTMENT OF GEORGE A. FINKLE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 35; absent, 14.

Voting yea: Senators Benitz, Bluechel, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Woody, Zimmerman - 35.

Absent: Senators Barr, Bauer, Bender, Bottiger, Clarke, Deccio, Hughes, Hurley, Kiskaddon, Owen, Quigg, Rasmussen, Williams, Wojahn - 14.

#### MOTIONS

On motion of Senator Bluechel, Senator Quigg was excused.

On motion of Senator Vognild, Senators Bender, Bottiger, Hurley, Owen, Williams and Wojahn were excused.

#### MOTION

On motion of Senator Talmadge, the appointment of Paul D. Hansen as a member of the Sentencing Guidelines Commission was confirmed.

#### APPOINTMENT OF PAUL D. HANSEN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 39; absent, 3; excused, 7.

Voting yea: Senators Barr, Bauer, Benitz, Bluechel, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Moore, Newhouse, Patterson, Peterson, Pullen, Rasmussen, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Woody, Zimmerman - 39.

Absent: Senators Granlund, Metcalf, Rinehart - 3.

Excused: Senators Bender, Bottiger, Hurley, Owen, Quigg, Williams, Wojahn - 7.

#### MOTION

On motion of Senator Talmadge, the appointment of Warren Netherland as a member of the Sentencing Guidelines Commission was confirmed.

## APPOINTMENT OF WARREN NETHERLAND

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 39; nays, 1; absent, 4; excused, 5.

Voting yea: Senators Barr, Bauer, Benitz, Bluechel, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Guess, Haley, Hansen, Hayner, Hemstad, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Rasmussen, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Warnke, Wojahn, Woody, Zimmerman - 39.

Voting nay: Senator Hughes - 1.

Absent: Senators Granlund, Jones, Rinehart, Thompson - 4.

Excused: Senators Bender, Bottiger, Hurley, Quigg, Williams - 5.

## MOTION

On motion of Senator Goltz, the appointment of James C. Waldo as a member of the Board of Trustees for Western Washington University was confirmed.

## APPOINTMENT OF JAMES C. WALDO

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Barr, Bauer, Benitz, Bluechel, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Wojahn, Woody, Zimmerman - 46.

Excused: Senators Bender, Bottiger, Williams - 3.

## MOTION

On motion of Senator Talmadge, the appointment of Otto Amen as a member of the Public Disclosure Commission was confirmed.

## APPOINTMENT OF OTTO AMEN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 49.

## MOTION

On motion of Senator Talmadge, the appointment of I. A. Tony Weza as a member of the Public Disclosure Commission was confirmed.

## APPOINTMENT OF I. A. TONY WEZA

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; absent, 2.

Voting yea: Senators Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 47.

Absent: Senators Barr, Rinehart - 2.

## MOTION

On motion of Senator Vognild, the appointment of John H. Stender as a member of the Apprenticeship Council was confirmed.

## APPOINTMENT OF JOHN H. STENDER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 45; nays, 2; absent, 2.

Voting yea: Senators Barr, Bauer, Benitz, Bluechel, Bottiger, Clarke, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Newhouse, Owen, Patterson,



Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 45.

Voting nay: Senators Conner, Moore - 2.

Absent: Senators Bender, Hemstad - 2.

## MOTION

At 10:46 a.m., on motion of Senator Shinpoch, the Senate recessed until 2:00 p.m.

## AFTERNOON SESSION

The Senate was called to order at 2:00 p.m. by President Pro Tempore Goltz.

There being no objection, the President Pro Tempore reverted the Senate to the fourth order of business.

## MESSAGES FROM THE HOUSE

May 11, 1983

Mr. President:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 43,

SUBSTITUTE HOUSE BILL NO. 278, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 11, 1983

Mr. President:

The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 3660, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 10, 1983

Mr. President:

The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 3079,

SENATE BILL NO. 3413,

SUBSTITUTE SENATE BILL NO. 3490, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 12, 1983

Mr. President:

The Speaker has signed:

HOUSE BILL NO. 74,

HOUSE BILL NO. 428, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 12, 1983

Mr. President:

The Speaker has signed:

SECOND SUBSTITUTE SENATE BILL NO. 3624,

SUBSTITUTE SENATE BILL NO. 3817, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 13, 1983

Mr. President:

The House concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 251 and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

May 13, 1983

Mr. President:

The House concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 1094 and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

## SIGNED BY THE PRESIDENT

The President signed:  
 SUBSTITUTE HOUSE BILL NO. 43,  
 HOUSE BILL NO. 74,  
 SUBSTITUTE HOUSE BILL NO. 278,  
 HOUSE BILL NO. 428.

## MESSAGE FROM THE HOUSE

May 13, 1983

Mr. President:

The House refuses to recede from its amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3864 and asks the Senate for a conference thereon, and the Speaker has appointed the following members as conferees: Representatives Kaiser, Ellis and Smith.

DEAN R. FOSTER, Chief Clerk

## MOTION

On motion of Senator Shinpoch, the Senate granted the request of the House for a conference on Engrossed Substitute Senate Bill No. 3864 and the House amendments thereto.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President Pro Tempore appointed as members of the Conference Committee on Engrossed Substitute Senate Bill No. 3864 and the House amendments thereto: Senators Hansen, Zimmerman and Goltz.

## MOTION

On motion of Senator Shinpoch, the Conference Committee appointments were confirmed.

## MOTION

On motion of Senator Shinpoch, the Senate advanced to the sixth order of business.

## CONFIRMATION OF GUBERNATORIAL APPOINTMENT

## MOTION

On motion of Senator Newhouse, the appointment of Norman F. Richardson as a member of the State Game Commission was confirmed.

## APPOINTMENT OF NORMAN F. RICHARDSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 37; absent, 12.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Fuller, Gaspard, Goltz, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, McManus, Moore, Newhouse, Patterson, Peterson, Pullen, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 37.

Absent: Senators Bauer, Deccio, Fleming, Granlund, Hughes, Hurley, McDermott, Metcalf, Owen, Quigg, Thompson, Vognlid - 12.

## MOTIONS

On motion of Senator Shinpoch, the Committee on Ways and Means was relieved of further consideration of Senate Bill No. 3910.

On motion of Senator Shinpoch, the rules were suspended, Senate Bill No. 3910 was advanced to second reading and placed on the second reading calendar.

## REMARKS BY SENATOR SHINPOCH

Senator Shinpoch: "Mr. President, we passed House Bill No. 495 through here and it had an error in it and it is on the Governor's desk. What we plan to do, is to pull Senate Bill No. 3910 and amend that--it is title only--with a corrected 495 and send it over to the House and get it to the Governor's desk, so that he can veto House Bill No. 495 and have a corrected bill in front of him."

## POINT OF INQUIRY

Senator Hayner: "Senator Shinpoch, what was the problem with the bill?"

Senator Shinpoch: "If you will recall, in the bill, it had that you were eligible for the post retirement increase after three years. If you will recall, I amended that in the Senate Ways and Means Committee to five years. We let that get out with the three years in it, but we changed the money for the five. The money is there, but it doesn't start until after five years. We didn't get all the dates changed."

## SECOND READING

SENATE BILL NO. 3910, by Senator McDermott

Relating to retirement from public service.

The bill was read the second time.

## MOTION

Senator McDermott moved that the following amendment be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. There is added to chapter 2.12 RCW a new section to read as follows:

Notwithstanding any provision of law to the contrary, effective July 1, 1983, the monthly benefit of each person who either is receiving benefits pursuant to RCW 2.12.020 or 2.12.030 as of December 31, 1982, or commenced receiving a monthly benefit under this chapter as of a date no later than July 1, 1978, shall be permanently increased by a post-retirement adjustment of \$.74 per month for each year of creditable service the judge established with the retirement system. Any fraction of a year of service shall be counted in the computation of the post-retirement adjustment. This adjustment shall be in lieu of any adjustments provided under RCW 2.12.037 as of July 1, 1983, or July 1, 1984, for the affected persons.

NEW SECTION. Sec. 2. There is added to chapter 28B.10 RCW a new section to read as follows:

Notwithstanding any provision of law to the contrary, effective July 1, 1983, the monthly benefit of each person who either is receiving a benefit pursuant to a program established under RCW 28B.10.400 for their service as of July 1, 1978, or commenced receiving a monthly benefit as a surviving spouse or written designated beneficiary with an insurable interest in the retiree as of a date no later than December 31, 1982, shall be permanently increased by a post-retirement adjustment of \$.74 per month for each year of creditable service the faculty member or employee established with the annuity or retirement income plan. Any fraction of a year of service shall be counted in the computation of the post-retirement adjustment.

NEW SECTION. Sec. 3. There is added to chapter 41.32 RCW a new section to read as follows:

Notwithstanding any provision of law to the contrary, effective July 1, 1983, the monthly benefit of each person who either is receiving benefits for his or her service as a member as of July 1, 1978, or commenced receiving a monthly benefit as of a date no later than December 31, 1982, under RCW 41.32.550 or under RCW 41.32.520 or as a surviving spouse or designated beneficiary with an insurable interest in the retiree, shall be permanently increased by a post-retirement adjustment of \$.74 per month for each year of creditable service the member established with the retirement system. Any fraction of a year of service shall be counted in the computation of the post-retirement adjustment. This adjustment shall be in lieu of any adjustment provided under RCW 41.32.499 as of July 1, 1983, or July 1, 1984, for the affected persons.

This section is not applicable to those persons receiving benefits pursuant to RCW 41.32.540 or 41.32.760 through 41.32.825.

NEW SECTION. Sec. 4. There is added to chapter 41.40 RCW a new section to read as follows:

Notwithstanding any provision of law to the contrary, effective July 1, 1983, the monthly benefit of each person who commenced receiving benefits for his or her service no later than July 1, 1978, or commenced receiving benefits under RCW 41.40.220, 41.40.230, 41.40.250, or 41.44.170 as of December 31, 1982, or commenced receiving a monthly benefit under RCW 41.40.270 or as a surviving spouse or written designated beneficiary with an insurable interest in the retiree as of a date no later than December 31, 1982, shall be permanently increased by a post-retirement adjustment of \$.74 per month for each year of creditable service the member established with the retirement system. Any fraction of a year of service shall be counted in the computation of the post-retirement adjustment. This adjustment shall be in lieu of any adjustment provided under RCW 41.40.195 as of July 1, 1983, or July 1, 1984, for the affected persons.

This section is not applicable to those persons receiving benefits pursuant to RCW 41.40.610 through 41.40.740.

NEW SECTION. Sec. 5. There is added to chapter 43.43 RCW a new section to read as follows:

Notwithstanding any provision of law to the contrary, effective July 1, 1983, all retirement allowances that commenced on a date no later than July 1, 1978, and all beneficiary allowances that commenced on a date no later than December 31, 1982, shall be permanently increased by a post-retirement adjustment of \$.74 per month for each year of creditable service the member established with the retirement system. This adjustment shall be in lieu of any adjustment provided under RCW 43.43.260(5) as of July 1, 1983, and July 1, 1984, for the affected persons, except that in no case shall such adjustment be less than the total of those which would be provided under RCW 43.43.260(5) as of July 1, 1983, and July 1, 1984.

**NEW SECTION.** Sec. 6. There is hereby appropriated \$3,600,000 for the costs resulting from sections 1 through 5 of this act. These funds shall be disbursed according to the following schedule:

- (1) \$3,212,000 to the department of retirement systems, as follows:
  - (a) \$1,025,000 from the general fund to the public employees' retirement fund.
  - (b) \$2,136,000 from the general fund to the teachers' retirement fund.
  - (c) \$12,000 from the general fund to the judges' retirement fund.
  - (d) \$39,000 from the motor vehicle fund to the Washington state patrol retirement fund.
- (2) \$388,000 from the general fund as follows:

University of Washington	\$193,000
Washington State University	\$171,000
Eastern Washington University	\$4,000
Western Washington University	\$9,000
Central Washington University	\$11,000

**NEW SECTION.** Sec. 7. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter ... (ESHB 495), Laws of 1983 1st ex. sess. and RCW 2.12.\_\_\_\_;
- (2) Section 2, chapter ... (ESHB 495), Laws of 1983 1st ex. sess. and RCW 28B.10.\_\_\_\_;
- (3) Section 3, chapter ... (ESHB 495), Laws of 1983 1st ex. sess. and RCW 41.32.\_\_\_\_;
- (4) Section 4, chapter ... (ESHB 495), Laws of 1983 1st ex. sess. and RCW 41.40.\_\_\_\_;
- (5) Section 5, chapter ... (ESHB 495), Laws of 1983 1st ex. sess. and RCW 43.43.\_\_\_\_; and
- (6) Section 6, chapter ... (ESHB 495), Laws of 1983 1st ex. sess. (uncodified).

**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, 1983."

#### POINT OF INQUIRY

Senator Pullen: "Senator McDermott, maybe you could elaborate a little more. I didn't understand exactly what the mistake was and how this corrected it."

Senator McDermott: "Senator Shinpoch explained it. Since we do have a corrected one before us, I am not sure which one of these dates was incorrect. We changed the money so that they had to wait five years after retirement to begin getting the adjustment, but we didn't change the dates appropriately in the bill."

#### POINT OF INQUIRY

Senator Pullen: "What is the difference in fiscal impact between this version, Senator Shinpoch?"

Senator Shinpoch: "The date that didn't get changed is the one--and it applies to all of them. If you look at line 10 on the first page, there is a July 1, 1978. In the committee, if you will recall, that was July 1, 1980, and I made an amendment to change it to 1978, and some of that didn't get changed. It changed from like 4.4 million to 3.2 million--is the difference in money."

Senator Pullen: "O.K. I accept what you are saying. Some of us just feel awfully nervous on the last day of the session seeing a big striking amendment dealing with pensions."

Senator Shinpoch: "Senator Pullen, I did explain this once before--about five minutes ago. You must not have been here."

#### POINT OF INQUIRY

Senator Newhouse: "Senator McDermott, might this have been an intentional mistake, so that we could get the proper sponsor on the bill?"

(No answer)

#### POINT OF INQUIRY

Senator Guess: "Senator McDermott, Senator Pullen has always been, actually, a very truthful, a very honorable and upright Senator on this floor and he just attributed something to you a minute ago that I would like to ask you about. He says this is the last day of the session. Did you say that?"

Senator McDermott: "Not that I remember. If I did, I didn't know what I was talking about."

The President Pro Tempore declared the question before the Senate to be adoption of the amendment by Senator McDermott.

The motion by Senator McDermott carried and the amendment was adopted.

#### MOTION

On motion of Senator McDermott, the following title amendment was adopted:

On page 1, line 1 of the title, after "service" and before the period, insert "; 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 43.43 RCW; repealing section 1, chapter ... (ESHB 495), Laws of 1983 1st ex. sess. and RCW 2.12.\_\_\_\_; repealing section 2, chapter ... (ESHB 495), Laws of 1983 1st ex. sess. and RCW 28B.10.\_\_\_\_; repealing section 3, chapter ... (ESHB 495), Laws of 1983 1st ex. sess. and RCW 41.32.\_\_\_\_; repealing section 4, chapter ... (ESHB 495), Laws of 1983 1st ex. sess. and RCW 41.40.\_\_\_\_; repealing section 5, chapter ... (ESHB 495), Laws of 1983 1st ex. sess. and RCW 43.43.\_\_\_\_; repealing section 6, chapter ... (ESHB 495), Laws of 1983 1st ex. sess. (uncodified); making an appropriation; providing an effective date; and declaring an emergency"

#### MOTIONS

On motion of Senator Bluechel, Senator Quigg was excused.

On motion of Senator Vognild, Senator Hughes was excused.

On motion of Senator McDermott, the rules were suspended, Engrossed Senate Bill No. 3910 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3910.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Bill No. 3910 and the bill passed the Senate by the following vote: Yeas, 42; nays, 5; excused, 2.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hurley, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Rasmussen, Rinehart, Sellar, Shipoch, Taimadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 42.

Voting nay: Senators Clarke, Craswell, Hayner, Jones, McCaslin - 5.

Excused: Senators Hughes, Quigg - 2.

ENGROSSED SENATE BILL NO. 3910, having received the 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 President Pro Tempore returned the Senate to the fourth order of business.

#### MESSAGE FROM THE HOUSE

May 13, 1983

Mr. President:

The House moved to appoint a Conference Committee on ENGROSSED SENATE BILL NO. 3858, asks the Senate for conference thereon, and the Speaker has appointed the following members as conferees: Representatives Moon, Charnley and Van Dyken.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Shipoch, the Senate granted the request of the House for a conference on Engrossed Senate Bill No. 3858.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President Pro Tempore appointed as members of the Conference Committee on Engrossed Senate Bill No. 3858: Senators Thompson, Benitz and Woody.

#### MOTION

On motion of Senator Shipoch, the Conference Committee appointments were confirmed.

There being no objection, the President Pro Tempore reverted the Senate to the third order of business.

## MESSAGE FROM THE GOVERNOR

May 13, 1983

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise you that on May 13, 1983, Governor Spellman approved the following Senate Bills entitled:

Senate Bill No. 3162

Relating to property taxation of nonprofit organizations.

Substitute Senate Bill No. 3163

Relating to reparations for certain state employees.

Second Substitute Senate Bill No. 3272

Relating to death investigations.

Senate Bill No. 3390

Relating to personalized license plates.

Substitute Senate Bill No. 3311

Relating to unemployment compensation.

Substitute Senate Bill No. 3273

Relating to radioactive waste.

Senate Bill No. 3188

Relating to timeshares.

Sincerely,

MARILYN SHOWALTER, Counsel to the Governor

## MOTION

At 2:24 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The Senate was called to order at 2:36 p.m. by President Pro Tempore Goltz.

There being no objection, the President Pro Tempore returned the Senate to the fourth order of business.

## MESSAGE FROM THE HOUSE

May 4, 1983

Mr. President:

The House has passed SECOND SUBSTITUTE SENATE BILL NO. 3155 with the following amendments:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION. Sec. 1. This act may be known as the Washington technology development act.

NEW SECTION. Sec. 2. The legislature finds that:

(1) The investment of state resources is appropriate to help develop new technologies necessary to maintain a competitive and growing economy;

(2) Washington should be a leader in technological advances in such industries as electronics, computers, aviation, bio-engineering, forestry, fisheries, agriculture, and marine services;

(3) Investment in education is the most feasible method for state assistance to the technology development industries;

(4) Educational efforts should be directed toward the continuing education of employed individuals as well as the traditional student not yet in the workforce; and

(5) Investments by the state should be limited and monitored by the legislature and by the council of technology advisors.

NEW SECTION. Sec. 3. In order to provide guidance and leadership during the 1983-85 biennium, the council of technology advisors is hereby created.

(1) The council shall be limited to eleven persons. Six persons shall represent the technology development industries and shall be named by the governor. The speaker of the house of representatives and the majority leader of the senate may recommend appointees. The two presidents of the state's research universities, the executive director of the state board for community college education, and the superintendent of public instruction shall name one representative each to the council. The council for postsecondary education shall name one of its members to serve on the council of technology advisors.

(2) Representatives of the regional universities and state college, the council for postsecondary education representative for private universities, the council for postsecondary education,

the commission for vocational education, the temporary committee for education policy, structure and management, the department of commerce and economic development or any successor agency, and the office of financial management shall cooperate in providing information upon request.

(3) The tasks of the council include:

(a) Monitoring and assistance in the development of a technology center at the University of Washington. A report on the progress shall be provided to the 1984 legislature;

(b) Reporting to the 1984 legislature on the progress of projects funded in this act, with particular reference to whether the original premise for the various projects continues to be reasonable or whether new approaches should be pursued;

(c) Making recommendations to the 1984 legislature regarding the optimum delivery of educational programs that would enhance technology development and provide for a technologically competent workforce. Among issues of interest to the legislature are similar efforts in other states, coordination between educational systems, and adequacy of instructional equipment. To this end, the council for postsecondary education and the superintendent of public instruction shall submit reports on this subject to the council by November 1, 1983; and

(d) Serve as a forum for selected technology development issues.

(4) The council shall be provided staff to be selected by state agency members of the council within thirty days of the effective date of this act. Staff shall serve at the pleasure of the council and shall be provided office space and administrative services by the University of Washington.

(5) The council shall cease to exist and this section shall expire on June 30, 1986.

NEW SECTION. Sec. 4. The following amounts, or so much thereof as may be necessary, are appropriated from the general fund for the biennium ending June 30, 1985:

(1) \$1,589,000 is appropriated to the University of Washington for specialized technology educational programs at a center for technology development and for planning for a permanent center for technology to be located in the Seattle area. No more than \$200,000 of this appropriation shall be expended for planning for a permanent center for technology. It is the intent of the legislature that all program requirements and a plan for ongoing maintenance, operations and provision of equipment using public and private sources be developed prior to consideration of physical space requirements. To this end, a plan detailing such program requirements shall be provided to the council prior to expenditure of moneys on physical plant planning.

(2) A Southwest joint center for technology is established in Vancouver. \$1,000,000 is appropriated to Washington State University to provide specialized technology educational programs and to provide administrative support for the center. It is intended that Clark College will join with Washington State University in offering technology-related courses through the facilities of the center.

(3) \$1,496,000 is appropriated to Washington State University to establish elements of a state-wide telecommunications network to deliver educational programs to the technology centers established in this act.

(4) \$320,000 is appropriated to the University of Washington to provide telecommunications services in conjunction with the system established in subsection (3) of this section.

(5) \$4,000,000 is appropriated to the state board for community college education to establish demonstration programs for training technicians needed by industries most affected by rapid technological change. To this end, the board shall select no more than five institutions for demonstration sites for an estimated 1500 FTE students per biennium. In its selection of demonstration sites, the state board shall consider cooperation and matching efforts with technology development industries as a primary criteria in making final awards. No more than \$1,000,000 of this appropriation may be used for equipment related to these demonstration programs.

(6) \$2,746,000 is appropriated to the superintendent of public instruction to establish the following programs:

(a) \$1,600,000 for the establishment of regional computer demonstration centers in the educational service districts.

(b) \$360,000 for establishment of local school district pilot projects in the application of technology to basic skills instruction.

(c) \$236,000 to administer and coordinate these technology programs and coordinate regional computer centers. No more than three full time equivalent staff may be added to provide these services.

(d) \$550,000 to contract with the Pacific science center for the purchase of computer, science, and mathematics education services.

(7) \$166,750 is provided to the University of Washington to serve as financial agent for the council of technology advisors and its staff.

NEW SECTION. Sec. 5. The following amounts, or so much thereof as may be necessary, are hereby appropriated for the biennium ending June 30, 1985, from the specified accounts in the general fund:

(1) To the University of Washington, to replace instructional and support equipment and the purchase of high technology equipment.

	Reappropriation	Appropriation
University of Washington Building Account		921,000
Higher Education Construction Account		3,048,000
Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/83	7/1/85 and Thereafter	
	29,844,000	33,813,000

(2) To the University of Washington, to fund additional working drawings, renovation and construction for the ceramic engineering program at Roberts Hall.

	Reappropriation	Appropriation
Higher Education Construction Account		4,000,000
Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/83	7/1/85 and Thereafter	
	6,050,000	10,050,000

(3) To Washington State University, to design, construct, and equip a new facility for the department of electrical engineering and a portion of the department of mechanical engineering.

	Reappropriation	Appropriation
Washington State University Building Account		13,776,000
Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/83	7/1/85 and Thereafter	
100,000		13,876,000

(4) To Washington State University, to design a new facility for the department of chemistry, the energy institute, and the biological chemistry institute.

	Reappropriation	Appropriation
Washington State University Building Account		1,061,000
Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/83	7/1/85 and Thereafter	
	19,138,000	20,199,000

NEW SECTION. Sec. 6. The state agencies appropriated moneys by this act shall provide whatever information and assistance is requested by the council of technology advisors in fulfilling its responsibilities to advise and report to the legislature on the progress and future needs in technology development."

On page 1, line 1 of the title, after "training;" strike the remainder of the title and insert "creating new sections; making appropriations; and providing an expiration date.",

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Gaspard, the Senate refused to concur in the House amendments to Second Substitute Senate Bill No. 3155 and asks the House to recede therefrom.

#### MESSAGE FROM THE HOUSE

May 10, 1983

Mr. President:

The House has passed SUBSTITUTE SENATE BILL NO. 3248 with the following amendments:

On page 4, line 26, strike "increased" and insert "adjusted"

On page 9, line 23, strike "increased" and insert "adjusted"

On page 10, line 27, strike "Increases" and insert "Adjustments".

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk



## MOTIONS

Senator McDermott moved that the Senate do not concur in the House amendments to Substitute Senate Bill No. 3248 and asks the House to recede therefrom.

Senator Pullen moved that the Senate do concur in the House amendments to Substitute Senate Bill No. 3248.

Debate ensued.

Senator Bottiger demanded a roll call and the demand was sustained.

The President Pro Tempore declared the question before the Senate to be the roll call on the positive motion by Senator Pullen to concur in the House amendments to Substitute Senate Bill No. 3248.

## ROLL CALL

The Secretary called the roll and the motion by Senator Pullen failed and the Senate did not concur in the House amendments to Substitute Senate Bill No. 3248 by the following vote: Yeas, 21; nays, 27; excused, 1.

Voting yea: Senators Barr, Benitz, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Hurley, Jones, McCaslin, Metcalfe, Newhouse, Owen, Patterson, Pullen, Rasmussen, Sellar, Zimmerman - 21.

Voting nay: Senators Bauer, Bender, Bluechel, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Kiskaddon, Lee, McDermott, McManus, Moore, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vogtild, von Reichbauer, Warnke, Williams, Wojahn, Woody - 27.

Excused: Senator Quigg - 1.

The Senate did not concur in the House amendments to Substitute Senate Bill No. 3248 and asks the House to recede therefrom.

## MOTION

At 2:55 p.m., on motion of Senator Shinpoch, the Senate recessed until 5:00 p.m.

## SECOND AFTERNOON SESSION

The Senate was called to order at 5:00 p.m. by President Pro Tempore Goltz.

## MESSAGE FROM THE HOUSE

May 13, 1983

Mr. President:

The House has granted the request of the Senate for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 3434, and the Speaker has appointed the following members as conferees: Representatives Niemi, Appelwick and Barrett.

DEAN R. FOSTER, Chief Clerk

## MESSAGE FROM THE HOUSE

May 13, 1983

Mr. President:

The House has passed:

ENGROSSED HOUSE BILL NO. 1079, and the same is herewith transmitted.

SHARON L. CASE, Assistant Chief Clerk

There being no objection, the President Pro Tempore advanced the Senate to the fifth order of business.

## INTRODUCTION AND FIRST READING OF HOUSE BILL

EHB 1079 by Representative Grimm

Relating to the budget.

Referred to the Committee on Ways and Means.

## MOTIONS

On motion of Senator Shinpoch, Senator Benitz was appointed to replace Senator Zimmerman on the conference committee for Engrossed Substitute Senate Bill No. 3864.

On motion of Senator Shinpoch, Senator Benitz's appointment was confirmed.

On motion of Senator Shinpoch, the Senate reverted to the fourth order of business.

## MESSAGE FROM THE HOUSE

May 13, 1983

Mr. President:

The House refuses to concur in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 55 and asks the Senate for a conference thereon, and the Speaker has appointed the following members as conferees: Representatives Grimm, Braddock and Fiske.

DEAN R. FOSTER, Chief Clerk

## MOTION

On motion of Senator Shinpoch, the Senate granted the request of the House for a conference on Engrossed Substitute House Bill No. 55 and the Senate amendments thereto.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President Pro Tempore appointed as members of the Conference Committee on Engrossed Substitute House Bill No. 55 and the Senate amendments thereto: Senators McDermott, Thompson and Lee.

## MOTION

On motion of Senator Shinpoch, the Conference Committee appointments were confirmed.

## MESSAGE FROM THE HOUSE

May 13, 1983

Mr. President:

The House has adopted the Report of the Conference Committee on SENATE BILL NO. 3090 and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## REPORT OF FREE CONFERENCE COMMITTEE

May 12, 1983

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SENATE BILL NO. 3090, modifying the budget and accounting act, have had the same under consideration, and we recommend Senate Bill No. 3090 be amended as follows and that the amended bill do pass.

(See Report of Conference Committee on Senate Bill No. 3090, read in on May 11, 1983)

Signed by: Senators Gaspard, Talmadge and Lee; Representatives Grimm, McMullen and Fiske.

## MOTION

On motion of Senator Talmadge, the Senate adopted the Report of the Free Conference Committee on Senate Bill No. 3090.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Senate Bill No. 3090, as amended by the Free Conference Committee.

## ROLL CALL

The Secretary called the roll on final passage of Senate Bill No. 3090, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 25; nays, 19; absent, 5.

Voting yea: Senators Bauer, Bender, Bottiger, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McDermott, McManus, Melcalf, Moore, Owen, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vogniid, Warmke, Williams, Wojahn - 25.

Voting nay: Senators Barr, Benitz, Bluechel, Craswell, Deccio, Fuller, Guess, Haley, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Newhouse, Patterson, Pullen, Quigg, Sellar, Zimmerman - 19.

Absent: Senators Clarke, Conner, Hayner, von Reichbauer, Woody - 5.

SENATE BILL NO. 3090, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

At 5:20 p.m., on motion of Senator Shinpoch, the Senate recessed until 7:30 p.m.

## EVENING SESSION

The Senate was called to order at 7:30 p.m. by President Pro Tempore Goltz.

## MOTION

At 7:30 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The Senate was called to order at 8:00 p.m. by President Pro Tempore Goltz.

## PARLIAMENTARY INQUIRY

Senator Bottiger: "Mr. President, I notice on my desk that there is a Report of a Conference Committee and a request for powers of Free Conference on Engrossed Substitute Senate Bill No. 3434. I make this parliamentary inquiry only to ask if that is the beginning of the twenty-four hours?"

## REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Goltz: "I am advised that this is the beginning of the twenty-four hours."

## POINT OF ORDER

Senator Rasmussen: "I also had a scope and object that I wish to renew on that bill before it gets into Free Conference."

## REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Goltz: "The motion to grant a Free Conference has not been made yet, because the House has to make that request first. Your motion would be timely when it is before us on the Senate side."

## MOTIONS

On motion of Senator Zimmerman, Senators Haley, von Reichbauer, Hayner and Clarke were excused.

On motion of Senator Shinpoch, the Senate advanced to the sixth order of business.

## CONFIRMATION OF GUBERNATORIAL APPOINTMENT

## MOTION

On motion of Senator Owen, the appointment of Jack L. Dierdorff as a member of the State Game Commission was confirmed.

## APPOINTMENT OF JACK L. DIERDORFF

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 42; absent, 3; excused, 4.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vogtild, Warnke, Williams, Wojahn, Woody, Zimmerman - 42.

Absent: Senators Deccio, Lee, Pullen - 3.

Excused: Senators Clarke, Haley, Hayner, von Reichbauer - 4.

There being no objection, the President Pro Tempore returned the Senate to the fourth order of business.

## MESSAGE FROM THE HOUSE

May 13, 1983

Mr. President:

The House has concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 234, and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

#### MOTIONS

On motion of Senator Shinpoch, the rules were suspended and the Committee on Ways and Means was relieved of further consideration of Engrossed House Bill No. 1079.

On motion of Senator Shinpoch, the rules were suspended and Engrossed House Bill No. 1079 was advanced to second reading and placed on the second reading calendar.

On motion of Senator Shinpoch, the Senate advanced to the sixth order of business.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 1079, by Representative Grimm

Relating to the budget.

The bill was read the second time.

#### MOTION

Senator McDermott moved that the following amendment be adopted:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION.** Sec. 1. A budget is hereby adopted and, subject to the provisions set forth in the following sections, the several amounts specified in the following sections, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages, and other expenses of the agencies and 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.

#### INDEX

Accountancy Board, sec. 34  
 Administrative Hearings Office, sec. 48  
 Administrator for the Courts, sec. 11  
 Agriculture Department, sec. 90  
 Archaeology and Historic Preservation Office, sec. 84  
 Arts Commission, sec. 127  
 Asian-American Affairs Commission, sec. 17  
 Attorney General, sec. 21  
 Blind Commission, sec. 75  
 Boxing Commission, sec. 35  
 Cemetery Board, sec. 36  
 Central Washington University, sec. 120  
 Claims, Belated, sec. 138  
 Claims, Sundry, sec. 139  
 Columbia River Gorge Commission, sec. 79  
 Commerce and Economic Development Department, sec. 86  
 Community College Education Board, sec. 116  
 Conservation Commission, sec. 91  
 Corrections Department, sec. 51  
 Corrections Standards Board, sec. 76  
 Court of Appeals, sec. 10  
 Criminal Justice Training Commission, sec. 70  
 Data Processing Authority, sec. 26  
 Eastern Washington State Historical Society, sec. 129  
 Eastern Washington University, sec. 119  
 Ecology Department, sec. 80  
 Economic and Community Development Department, sec. 47  
 Economic and Revenue Forecasting Council, sec. 50  
 Emergency Services Department, sec. 43  
 Employment Security Department, sec. 74  
 Energy Facility Site Evaluation Council, sec. 82  
 Energy Office, sec. 78  
 Environmental Hearings Office, sec. 81  
 Financial Management Office, sec. 22  
 Fisheries Department, sec. 87

- Game Department, sec. 88
- General Administration Department, sec. 29
- Governor, sec. 13
- Governor, Special Appropriations, secs. 132-134
- Higher Education, secs. 115-126
- Higher Education Personnel Board, sec. 125
- Horse Racing Commission, sec. 37
- Hospital Commission, sec. 73
- House of Representatives, sec. 2
- Human Rights Commission, sec. 68
- Indian Affairs, Governor's Office, sec. 18
- Industrial Insurance Appeals Board, sec. 69
- Insurance Commissioner, sec. 30
- Interagency Committee for Outdoor Recreation, sec. 85
- Investment Board, sec. 23
- Judicial Qualifications Commission, sec. 12
- Labor and Industries Department, sec. 71
- Law Library, sec. 9
- Legislative Budget Committee, sec. 4
- Legislative Evaluation and Accountability Program Committee, sec. 5
- Lieutenant Governor, sec. 14
- Liquor Control Board, secs. 38-39
- Licensing Department, sec. 94
- Mexican-American Affairs Commission, sec. 16
- Military Department, sec. 44
- Minority and Women's Business Enterprises Office, sec. 49
- Municipal Research Council, sec. 33
- Natural Resources Department, sec. 89
- Parks and Recreation Commission, sec. 83
- Personnel Appeals Board, sec. 25
- Personnel Department, sec. 24
- Pharmacy Board, sec. 40
- Planning and Community Affairs Agency, sec. 67
- Postsecondary Education Council, sec. 123
- Presidential Electors, sec. 46
- Prison Terms and Paroles Board, sec. 72
- Public Disclosure Commission, sec. 31
- Public Employment Relations Commission, sec. 45
- Retirement Systems Department, secs. 32, 137
- Retirement Contributions, sec. 135
- Revenue Department, sec. 27
- Secretary of State, sec. 15
- Senate, sec. 3
- Sentencing Guidelines Commission, sec. 77
- Social and Health Services Department, secs. 52-65
  - Administration and Supporting Services, sec. 62
  - Community Services Administration, sec. 63
  - Community Social Services, sec. 58
  - Developmental Disabilities Program, sec. 55
  - Income Maintenance Grants Program, sec. 57
  - Juvenile Rehabilitation Program, sec. 53
  - Medical Assistance Grants Program, sec. 59
  - Mental Health Program, sec. 54
  - Long-Term Care Program, sec. 56
  - Public Health Program, sec. 60
  - Reappropriations, sec. 65
  - Revenue Collections Program, sec. 64
  - Vocational Rehabilitation Program, sec. 61
- State Actuary, sec. 6
- State Auditor, sec. 20
- State Capitol Historical Association, sec. 130
- State Historical Society, sec. 128
- State Library, sec. 126
- State Patrol, sec. 93
- State Treasurer, sec. 19
  - Bond Retirement and Interest, sec. 142
  - Federal Revenues for Distribution, sec. 141
  - State Revenues for Distribution, sec. 140

- Transfers, sec. 136
- Statute Law Committee, sec. 7
- Superintendent of Public Instruction, secs. 95-114
  - Basic Education Formula, sec. 96
  - Block Grants, sec. 109
  - Educational Clinics, sec. 114
  - Educational Service Districts, sec. 108
  - Encumbrance of Federal Grants, sec. 113
  - Enumerated Purposes, sec. 111
  - Food Service Programs, sec. 105
  - Handicapped Costs, sec. 106
  - Institutional Education Programs, sec. 110
  - Pupil Transportation, sec. 103
  - Retirement Contributions, sec. 132
  - Salary and Compensation, secs. 97-102, 112
  - Traffic Safety Program, sec. 107
  - Vocational-Technical Institutes, sec. 104
- Supreme Court, sec. 8
- Tax Appeals Board, sec. 28
- Temporary Committee on Educational Policy, Structure, and Management, sec. 131
- The Evergreen State College, sec. 121
- University of Washington, sec. 117
- Utilities and Transportation Commission, sec. 41
- Veterans Affairs Department, sec. 66
- Vocational Education Commission, sec. 124
- Volunteer Firemen Board, sec. 42
- Washington Centennial Commission, sec. 92
- Washington State University, sec. 118
- Western Washington University, sec. 122

**NEW SECTION, Sec. 2. FOR THE HOUSE OF REPRESENTATIVES**

General Fund Appropriation ..... \$ 22,425,000

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.

**NEW SECTION, Sec. 3. FOR THE SENATE**

General Fund Appropriation ..... \$ 20,111,000

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.

**NEW SECTION, Sec. 4. FOR THE LEGISLATIVE BUDGET COMMITTEE**

General Fund Appropriation ..... \$ 1,387,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$20,000 is provided solely for a peer review of the state auditor's office.

(2) The legislative budget committee shall conduct a performance audit of the common school preschool handicapped program with respect to staffing and severity ratios and shall submit a report to the legislature before January 1, 1984.

**NEW SECTION, Sec. 5. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

General Fund Appropriation ..... \$ 1,531,000

**NEW SECTION, Sec. 6. FOR THE OFFICE OF THE STATE ACTUARY**

General Fund Appropriation ..... \$ 346,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Any services related to the retirement systems established under RCW 28B.10.400 shall be billed to the requesting agency or higher education institution.

(2) Proposals shall be presented to the committees on ways and means of the senate and house of representatives not later than January 10, 1985, for (a) appropriate actuarial level funding methods which may be used for the retirement systems established under chapters 2.10 and 2.12 RCW and the supplemental payments under the retirement systems established under RCW 28B.10.400 et seq., and (b) any modifications or basic reforms in the aforementioned judicial retirement systems.

(3) \$35,000 of the appropriation in this section shall be used solely for the process of filling the vacancy of the state actuary.

NEW SECTION, Sec. 7. FOR THE STATUTE LAW COMMITTEE

General Fund Appropriation ..... \$ 5,120,000

NEW SECTION, Sec. 8. FOR THE SUPREME COURT

General Fund Appropriation ..... \$ 7,126,000  
 General Fund—Judiciary Education Account Appropriation ..... \$ 1,378,000  
 Total Appropriation ..... \$ 8,504,000

The appropriations in this section are subject to the following conditions and limitations: \$1,853,000 of the general fund appropriation and \$1,378,000 of the judiciary education account appropriation shall be used solely for indigent appeals.

NEW SECTION, Sec. 9. FOR THE LAW LIBRARY

General Fund Appropriation ..... \$ 2,036,000

The appropriation in this section is subject to the following conditions and limitations: All nonstate agency users of the Westlaw system shall be charged a service fee sufficient to cover the costs of their usage.

NEW SECTION, Sec. 10. FOR THE COURT OF APPEALS

General Fund Appropriation ..... \$ 9,030,000

NEW SECTION, Sec. 11. FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation ..... \$ 21,555,000  
 General Fund—Judiciary Education Account Appropriation ..... \$ 1,310,000  
 Total Appropriation ..... \$ 22,865,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$8,524,000 of the general fund appropriation may be spent for the superior court judges. Of this amount, \$330,000 is provided solely for criminal cost bills; \$300,000 is provided solely for mandatory arbitration costs; and \$135,000 is provided solely for judges pro tempore for the superior courts. The administrator for the courts shall authorize and approve all such expenditures.

(2) \$610,000 of the judiciary education account appropriation is provided solely for judicial and support staff education programs.

(3) \$195,000 of the judiciary education account appropriation is provided solely for staff support for the judiciary education program.

(4) \$225,000 of the judiciary education account appropriation is provided solely for fall judicial conferences.

(5) \$280,000 of the judiciary education account appropriation is provided solely for education and training for the supreme court, the court of appeals, the law library, and the administrator for the courts' office.

NEW SECTION, Sec. 12. FOR THE JUDICIAL QUALIFICATIONS COMMISSION

General Fund Appropriation ..... \$ 426,000

NEW SECTION, Sec. 13. FOR THE OFFICE OF THE GOVERNOR

General Fund Appropriation ..... \$ 3,441,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$209,000 shall be used solely for extradition expenses to carry out the provisions of RCW 10.34.030, providing for the return of fugitives by the governor, including prior claims, and for extradition-related legal services as determined by the attorney general.

(2) \$154,000 shall be used solely for mansion maintenance.

(3) \$3,078,000 shall be used solely for executive operations.

NEW SECTION, Sec. 14. FOR THE LIEUTENANT GOVERNOR

General Fund Appropriation ..... \$ 249,000

NEW SECTION, Sec. 15. FOR THE SECRETARY OF STATE

General Fund Appropriation ..... \$ 4,942,000

General Fund—Archives and Records Management Account  
 Appropriation ..... \$ 1,310,000  
 Total Appropriation ..... \$ 6,252,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$920,000 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.

(2) \$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.

NEW SECTION, Sec. 16. FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS

General Fund Appropriation ..... \$ 124,000

NEW SECTION, Sec. 17. FOR THE COMMISSION ON ASIAN-AMERICAN AFFAIRS

General Fund Appropriation ..... \$ 124,000

NEW SECTION, Sec. 18. FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

General Fund Appropriation ..... \$ 124,000

NEW SECTION, Sec. 19. FOR THE STATE TREASURER

Motor Vehicle Fund Appropriation ..... \$ 41,000

State Treasurer's Service Fund Appropriation .....	\$	6,417,000
Total Appropriation .....	\$	6,458,000
<b>NEW SECTION. Sec. 20. FOR THE STATE AUDITOR</b>		
General Fund Appropriation—State .....	\$	512,000
General Fund Appropriation—Federal .....	\$	398,000
Motor Vehicle Fund Appropriation .....	\$	290,000
Municipal Revolving Fund Appropriation .....	\$	13,293,000
Auditing Services Revolving Fund Appropriation .....	\$	7,083,000
Total Appropriation .....	\$	21,576,000

The appropriations in this section are subject to the following conditions and limitations:

(1) If legislation is not enacted before July 1, 1983, permitting payment from the municipal revolving fund of the expenses of maintaining and operating the state auditor's office in connection with local government audits, the general fund appropriation in this section shall be increased by \$196,000 and the municipal revolving fund appropriation shall be reduced by \$196,000.

(2) The director of financial management shall approve sufficient payments to the state auditor in all cases of necessity under RCW 43.09.418, including but not limited to cases of suspected malfeasance, misfeasance, or fraud, notwithstanding the level of auditing activity supported by the appropriation in this section.

**NEW SECTION. Sec. 21. FOR THE ATTORNEY GENERAL**

General Fund Appropriation .....	\$	4,288,000
Legal Services Revolving Fund Appropriation .....	\$	25,683,000
Total Appropriation .....	\$	29,971,000

The appropriations in this section are subject to the following conditions and limitations:

(1) No moneys appropriated in this section may be expended for the support of the crime watch program.

(2) No moneys appropriated in this section may be expended for the support of the law enforcement assistance program.

(3) A maximum of \$313,000 is provided solely for the criminal litigation unit.

(4) \$24,000 of the general fund appropriation is provided solely for a consumer protection hotline within the consumer protection division.

**NEW SECTION. Sec. 22. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

General Fund Appropriation—State .....	\$	11,436,000
General Fund Appropriation—Federal .....	\$	50,000
Medical Aid Fund Appropriation—State .....	\$	100,000
Data Processing Revolving Fund Appropriation .....	\$	1,368,000
Total Appropriation .....	\$	12,954,000

The appropriations in this section are subject to the following conditions and limitations:

(1) If House Bill No. 784 is not enacted before July 1, 1983, then the general fund—state appropriation shall be increased by \$319,000.

(2) Not more than \$2,500,000, of which \$1,132,500 is from the state general fund and \$1,367,500 from the data processing revolving fund, is provided for expenses related to the agency financial reporting system (AFRS). The office of financial management shall allocate moneys to various state agencies on the basis of identified need. Whenever allocations are made to agencies financed in whole or in part by other than general fund moneys, the director of financial management shall direct the repayment of such allocated amount to the data processing revolving fund from any balance in the fund or funds which finance the agency. No appropriation shall be necessary to effect such repayment.

(3) The director of financial management shall make every effort to limit equipment purchases by agencies so that total state general fund expenditures for equipment purchases by state agencies at the end of the 1983-85 biennium is two million dollars less than the amount appropriated for equipment in the 1983-85 biennium.

(4) \$20,000 is provided solely for a feasibility study of an offender-based corrections information system to serve the combined information needs of the department of corrections, board of prison terms and parole, sentencing guidelines commission, corrections standard board, and the administrator for the courts, to be delivered to the legislature by December 1, 1984.

(5) \$5,000 of the general fund—state appropriation is provided solely for payment of claims against the state of \$500 or less, pursuant to RCW 4.92.040.

(6) The office of financial management shall present to the legislature by December 1, 1984, a plan to have the state self-fund any or all portions of the insurance programs offered by the state. For purposes of this study, the reserves required by the self-funded programs shall be assumed to be held by the state treasurer in the originating funds until an obligation occurs. The state investment board shall act as the investor for the funds, and all of the earnings from these investments shall accrue directly to the originating funds.

**NEW SECTION. Sec. 23. FOR THE STATE INVESTMENT BOARD**

General Fund—State Investment Board Expense Account Appropriation .....	\$	1,275,000
-------------------------------------------------------------------------	----	-----------



NEW SECTION, Sec. 24. FOR THE DEPARTMENT OF PERSONNEL

Department of Personnel Service Fund Appropriation .....	\$	8,625,000
State Employees' Insurance Fund Appropriation .....	\$	1,542,000
Total Appropriation .....	\$	10,167,000

The appropriations in this section are subject to the following conditions and limitations: If House Bill No. 134 is enacted before July 1, 1983, the department of personnel service fund appropriation shall be reduced by \$275,000.

NEW SECTION, Sec. 25. FOR THE PERSONNEL APPEALS BOARD

Department of Personnel Service Fund Appropriation .....	\$	779,000
----------------------------------------------------------	----	---------

NEW SECTION, Sec. 26. FOR THE DATA PROCESSING AUTHORITY

Data Processing Revolving Fund Appropriation .....	\$	877,000
----------------------------------------------------	----	---------

The appropriation in this section is subject to the following conditions and limitations: The data processing authority shall develop and implement with the office of financial management an equitable billing structure to insure that all state agencies, as defined in RCW 43.88-.020, pay a proportionate share of the data processing authority's operational costs.

NEW SECTION, Sec. 27. FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation .....	\$	43,090,000
General Fund—State Timber Tax Reserve Account Appropriation .....	\$	2,851,000
Motor Vehicle Fund Appropriation .....	\$	115,000
Total Appropriation .....	\$	46,056,000

The appropriations in this section are subject to the following conditions and limitations: If House Bill No. 784 is not enacted before July 1, 1983, then the general fund—state appropriation shall be increased by \$200,000.

NEW SECTION, Sec. 28. FOR THE BOARD OF TAX APPEALS

General Fund Appropriation .....	\$	999,000
----------------------------------	----	---------

NEW SECTION, Sec. 29. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation—State .....	\$	6,038,000
General Fund Appropriation—Private/Local .....	\$	58,000
General Fund—Motor Transport Account Appropriation .....	\$	6,858,000
General Administration Facilities and Services Revolving Fund Appropriation .....	\$	16,180,000
Total Appropriation .....	\$	29,134,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The community college districts shall transfer to the motor transport account \$51,390 from the general local fund and \$157,389 from the local motor pool fund. These transfers shall be made in accordance with schedules provided by the office of financial management.

(2) The appropriation from the motor transport account may be used for the replacement of existing vehicles but shall not be used to expand the fleet.

NEW SECTION, Sec. 30. FOR THE INSURANCE COMMISSIONER

General Fund Appropriation .....	\$	7,902,000
----------------------------------	----	-----------

NEW SECTION, Sec. 31. FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund Appropriation .....	\$	976,000
----------------------------------	----	---------

NEW SECTION, Sec. 32. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS

Department of Retirement Systems Expense Fund Appropriation .....	\$	10,458,000
-------------------------------------------------------------------	----	------------

The appropriation in this section is subject to the following conditions and limitations: The department of retirement systems is authorized to transfer from the applicable retirement system fund to the department of retirement systems expense fund amounts which represent each system's proportionate share of administrative expenses.

NEW SECTION, Sec. 33. FOR THE MUNICIPAL RESEARCH COUNCIL

General Fund Appropriation .....	\$	1,495,000
----------------------------------	----	-----------

NEW SECTION, Sec. 34. FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation .....	\$	294,000
Certified Public Accountant Examination Account Appropriation .....	\$	351,000
Total Appropriation .....	\$	645,000

The appropriations in this section are subject to the following conditions and limitations: If Substitute House Bill No. 646 is not enacted by July 1, 1983, the general fund appropriation shall be increased by \$317,000.

NEW SECTION, Sec. 35. FOR THE BOXING COMMISSION

General Fund Appropriation .....	\$	73,000
----------------------------------	----	--------

NEW SECTION, Sec. 36. FOR THE CEMETERY BOARD

General Fund—Cemetery Account Appropriation .....	\$	74,000
---------------------------------------------------	----	--------

NEW SECTION, Sec. 37. FOR THE HORSE RACING COMMISSION

Horse Racing Commission Fund Appropriation .....	\$	2,836,000
--------------------------------------------------	----	-----------

The appropriation in this section is subject to the following conditions and limitations: 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.

**NEW SECTION, Sec. 38. FOR THE LIQUOR CONTROL BOARD—THE ADMINISTRATION PROGRAM, AND THE LICENSING AND ENFORCEMENT PROGRAM**

Liquor Revolving Fund Appropriation ..... \$ 14,491,000

**NEW SECTION, Sec. 39. FOR THE LIQUOR CONTROL BOARD—MERCHANDISING PROGRAM**

Liquor Revolving Fund Appropriation ..... \$ 70,397,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The liquor control board shall maintain a minimum productivity of 43,821 bottles sold adjusted to retail per FTE staff year. As used in this section, "bottles sold adjusted to retail" has the same meaning and shall be calculated in the same manner as in the board's budget request for the fiscal biennium ending June 30, 1985. The board shall not permit a productivity less than that specified in this section for any reason, including but not limited to the sale of lottery tickets or decreases in the demand for liquor.

(2) The liquor control board is authorized to relocate stores during the fiscal biennium ending June 30, 1985, if necessary to conduct business in the most efficient and economical manner possible.

(3) The liquor control board is prohibited from opening any new retail sales outlets or to convert agencies to retail sales outlets during the fiscal biennium ending June 30, 1985.

(4) The liquor control board shall distribute and offer for sale lottery tickets for the Washington state lottery during the fiscal biennium ending June 30, 1985.

**NEW SECTION, Sec. 40. FOR THE PHARMACY BOARD**

General Fund Appropriation ..... \$ 1,072,000

**NEW SECTION, Sec. 41. FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

Public Service Revolving Fund Appropriation—State ..... \$ 17,351,000

Public Service Revolving Fund Appropriation—Federal ..... \$ 452,000

Grade Crossing Protective Fund Appropriation ..... \$ 516,000

Total Appropriation ..... \$ 18,319,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$320,000 of the grade crossing protective fund appropriation shall be expended for obligations incurred in previous biennia.

(2) Not more than \$110,000 shall be expended for an additional assistant attorney general for increased workload in utility rate requests.

(3) Not more than \$150,000 from the public service revolving fund appropriation shall be expended for the joint select committee on telecommunications regulation for the purposes of reviewing the consequences of changes in the telecommunications industry, including the AT&T divestiture.

(4) \$700,000 is provided solely for costs of the attorney general associated with representation of the public before the commission, including but not limited to the costs of special attorneys general, expert witnesses, technical assistants, and consultants.

**NEW SECTION, Sec. 42. FOR THE BOARD FOR VOLUNTEER FIREMEN**

Volunteer Firemen's Relief and Pension Fund Appropriation ..... \$ 163,000

**NEW SECTION, Sec. 43. FOR THE DEPARTMENT OF EMERGENCY SERVICES**

General Fund Appropriation—State ..... \$ 766,000

General Fund Appropriation—Federal ..... \$ 3,862,000

Total Appropriation ..... \$ 4,628,000

**NEW SECTION, Sec. 44. FOR THE MILITARY DEPARTMENT**

General Fund Appropriation—State ..... \$ 6,931,000

General Fund Appropriation—Federal ..... \$ 1,723,000

Total Appropriation ..... \$ 8,654,000

**NEW SECTION, Sec. 45. FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

General Fund Appropriation ..... \$ 1,422,000

**NEW SECTION, Sec. 46. FOR THE PRESIDENTIAL ELECTORS**

General Fund Appropriation ..... \$ 1,000

**NEW SECTION, Sec. 47. FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT**

General Fund Appropriation—State ..... \$ 4,708,000

General Fund Appropriation—Federal ..... \$ 53,649,000

Total Appropriation ..... \$ 58,357,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are for expenditure in fiscal year 1985.

(2) Not more than \$437,000 of the general fund—state appropriation is provided for distribution to incorporated cities and towns for fire protection of state facilities.

(3) \$292,000 of the general fund—state appropriation, or so much thereof as may be necessary, shall be used for Mount St. Helens volcano zone enforcement patrol.

(4) \$125,000 of the general fund—state appropriation shall be provided solely for distribution to border areas within seven air miles of the Canadian border.

**NEW SECTION, Sec. 48. FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

Administrative Hearings Revolving Fund Appropriation ..... \$ 7,019,000

NEW SECTION. Sec. 49. FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

General Fund Appropriation ..... \$ 768,000

The appropriation in this section is subject to the following conditions and limitations: If Second Substitute Senate Bill No. 3230 is not enacted before July 1, 1983, the appropriation in this section shall lapse.

NEW SECTION. Sec. 50. FOR THE ECONOMIC AND REVENUE FORECASTING COUNCIL

General Fund Appropriation ..... \$ 804,000

The appropriation in this section is subject to the following conditions and limitations: If House Bill No. 784 is not enacted by July 1, 1983, then the appropriation in this section shall lapse.

NEW SECTION. Sec. 51. FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

General Fund Appropriation ..... \$ 53,956,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$2,153,000 is provided solely for the continuation and expansion of the alternatives to street crime programs in Pierce, Snohomish, Clark, King, Spokane, and Yakima counties. \$38,000 of the appropriation in this subsection (1)(a) is provided solely for the current Pierce county and Snohomish county treatment alternatives to street crime programs to implement the expansion program.

(b) \$236,000 is provided solely for community diversion programs.

(c) \$200,000 is provided solely for a program to notify victims and witnesses of any parole, work release placement, furlough, or unescorted leave of absence from a state correctional facility of any inmate convicted of a violent offense.

(d) \$25,458,000 is provided for probation and parole, other than for drug and alcohol specialized officers in counties currently or proposed to be served by the treatment alternatives to street crime programs.

(e) \$4,054,000 is provided for intensive parole.

(f) \$16,952,000 is provided to operate and/or contract with nonprofit corporations for work training release for convicted felons.

(g) \$4,026,000 is provided to operate the Geiger community work release facility for convicted felons.

(h) \$877,000 is provided for support of the state director's office of community services.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State ..... \$ 206,860,000

General Fund Appropriation—Federal ..... \$ 700,000

Total Appropriation ..... \$ 207,560,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$712,000 of the general fund—state appropriation is provided solely for drug and alcohol rehabilitation treatment programs at appropriate state correctional institutions, as defined in RCW 72.01.050 for persons who: (i) Are defined as inmates under RCW 72.09.020; (ii) in the opinion of a qualified health professional designated by the department, are in need of such treatment; and (iii) have less than one year remaining in their confinement to a state correctional facility. Such programs may include facilities for both residential and outpatient treatment.

(b) The superintendents of each correctional institution, as defined in RCW 72.65.010, shall establish community-based volunteer alcohol and drug rehabilitation programs in their respective correctional institution. The superintendents shall encourage groups conducting such programs outside the institutions to participate in such programs inside the institution. An employee at each correctional institution shall be designated to coordinate the programs mandated in this subsection.

(c) The department shall contract with appropriate counties for the use of up to 200 beds in county jails. Contracted jail space shall be used for inmates who have not fully entered the state prison system and for inmates who are nearing their release date who are not appropriate for parole, work release, or early release.

(3) ADMINISTRATION AND PROGRAM SUPPORT

General Fund Appropriation—State ..... \$ 13,278,000

General Fund—Institutional Impact Account Appropriation ..... \$ 865,000

Total Appropriation ..... \$ 14,143,000

The appropriations in this subsection are subject to the following conditions and limitations: \$1,480,000 is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities.

(4) INSTITUTIONAL INDUSTRIES

General Fund Appropriation ..... \$ 5,463,000

(5) The appropriations in subsections (1), (2), (3), and (4) of this section are made solely for those purposes and no transfer shall be made among said subsections.

NEW SECTION. Sec. 52. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(1) Appropriations made by this act to the department of social and health services shall be initially allotted as required by this act. The initial allotments of all appropriations made by this act to the department of social and health services shall not be modified before October 1, 1983. Except as otherwise provided in this act, these initial allotments may be modified on and after October 1, 1983, only with the approval of the office of financial management after consultation with the ways and means committees of the senate and house of representatives: PROVIDED, That the allotment modifications shall not include transfers of moneys between sections of this act, nor shall the allotment modifications permit moneys which are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services which will require expenditure of state general fund moneys except as expressly authorized in this act, unless the services were provided on July 1, 1983. The department of social and health services may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of the amounts anticipated in this act.

**NEW SECTION, Sec. 53. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
JUVENILE REHABILITATION PROGRAM**

**(1) COMMUNITY SERVICES**

General Fund Appropriation—State	\$	25,444,000
General Fund Appropriation—Federal	\$	54,000
Total Appropriation	\$	25,498,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$12,329,000 of the general fund—state appropriation is provided solely for consolidated juvenile services. The department shall use these moneys to reduce commitments to the department and promote alternatives to institutional bed usage. The department shall submit a report to the legislature by December 1, 1984, on the success of these services in preventing institutionalization and reducing recidivism.

(b) Vendor rate adjustments for fee-for-service providers shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

**(2) INSTITUTIONAL SERVICES**

General Fund Appropriation—State	\$	40,008,000
General Fund Appropriation—Federal	\$	788,000
Total Appropriation	\$	40,796,000

The appropriations in this subsection are subject to the following conditions and limitations:

The appropriations in this subsection shall be initially allotted as follows:

(a) \$11,763,000, of which \$11,507,000 is from the general fund—state appropriation, and 390.0 FTE staff years for the Echo Glen Children's Center to operate at least eleven cottages.

(b) \$9,836,000, of which \$9,638,000 is from the general fund—state appropriation, and 320.0 FTE staff years for the Maple Lane School to operate at full bed capacity.

(c) \$10,356,000, of which \$10,212,000 is from the general fund—state appropriation, and 310.4 FTE staff years for the Green Hill School to operate at full bed capacity.

(d) \$5,436,000, of which \$5,318,000 is from the general fund—state appropriation, and 159.0 FTE staff years for the Naselle Youth Camp to operate at full bed capacity.

(e) \$3,405,000, of which \$3,333,000 is from the general fund—state appropriation, and 82.0 FTE staff years for the Mission Creek Youth Camp to operate at full bed capacity.

**(3) PROGRAM SUPPORT**

General Fund Appropriation—State	\$	2,207,000
----------------------------------	----	-----------

(4) The appropriations in subsections (1), (2), and (3) of this section are made solely for those purposes only and no transfer shall be made among said subsections.

**NEW SECTION, Sec. 54. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
MENTAL HEALTH PROGRAM**

**(1) COMMUNITY SERVICES**

General Fund Appropriation—State	\$	85,128,000
General Fund Appropriation—Federal	\$	14,095,000
General Fund Appropriation—Local	\$	264,000
Total Appropriation	\$	99,487,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department is directed to develop at least 55 new community residential involuntary treatment act (ITA) beds and submit a report to the legislature by January 1, 1984, describing its progress in complying with this requirement.

(b) \$436,000 of the general fund—state appropriation is provided solely for pilot school-based early intervention projects in at least three school districts. The department shall issue a request for proposals no later than September 1, 1983, and shall contract with school districts no later than January 1, 1984. School districts shall be required to provide in-kind matching equal in value to at least 43% of the funding provided in this subsection. At least 85% of children served in each participating district shall be in grades kindergarten through three. Parental consent shall be required before any child is involved in screening or accepted into a project. Each project staff shall include a children's mental health professional and a paraprofessional

coordinator. The department shall plan and administer the projects in consultation with the superintendent of public instruction, local school districts, licensed community mental health providers, and other community representatives. Of the amount provided in this subsection, up to \$70,000 may be expended for administration, training, and consultation by the department.

(c) \$465,000 is provided solely for a community psychiatric training program at the University of Washington to provide the following:

(i) Placement of psychiatry residents and other postgraduate trainees in both state mental institutions and community mental health programs;

(ii) Technical assistance to the department of social and health services; and

(iii) Continuing educational opportunities for mental health professionals state-wide.

(d) Vendor rate adjustments for fee-for-service providers shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State .....	\$	107,845,000
General Fund Appropriation—Federal .....	\$	3,493,000
Total Appropriation .....	\$	111,338,000

(3) PROGRAM SUPPORT

General Fund Appropriation—State .....	\$	2,854,000
General Fund Appropriation—Federal .....	\$	584,000
General Fund Appropriation—Local .....	\$	14,000
Total Appropriation .....	\$	3,452,000

(4) SPECIAL PROJECTS

General Fund Appropriation—Federal .....	\$	38,000
------------------------------------------	----	--------

(5) The appropriations in subsections (1), (2), (3), and (4) of this section are made solely for those purposes only and no transfer shall be made among said subsections.

NEW SECTION, Sec. 55. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State .....	\$	51,390,000
General Fund Appropriation—Federal .....	\$	41,765,000
Total Appropriation .....	\$	93,155,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$100,000 of the general fund—state appropriation is provided solely for a contract marketing project to ensure greater access for small agencies providing long-term employment to individuals with severe developmental disabilities. The department shall determine the criteria for small agencies that will benefit from this marketing project and enlist the support of business, industry, and government in developing work opportunities. The department shall monitor the contract and submit a report to the legislature by December 1, 1984. The report shall include changes in the workers' wages and commercial revenue of the agencies involved during the period of the project.

(b) The appropriations in this subsection shall be initially allotted as follows:

(i) \$14,664,000 of the general fund—state appropriation for group homes to serve an average monthly caseload of 936 clients.

(ii) \$24,759,000, of which \$2,772,000 is from the general fund—state appropriation, for county services to serve an average monthly caseload of 3,837 clients.

(iii) \$8,390,000, of which \$6,922,000 is from the general fund—state appropriation, for field services to serve an average monthly caseload of 9,575 clients.

(iv) \$2,652,000, of which \$536,000 is from the general fund—state appropriation, for home aid to serve an average monthly caseload of 1,066 clients.

(v) \$33,036,000, of which \$16,842,000 is from the general fund—state appropriation, for title XIX residential services to serve an average monthly caseload of 965 clients.

(vi) \$956,000 of the general fund—state appropriation for alternative living to serve an average monthly caseload of 322 clients.

(vii) \$8,423,000 of the general fund—state appropriation for tenant support to serve an average monthly caseload of 541 clients.

(c) Vendor rate adjustments for fee-for-service providers shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(d) \$175,000 of the general fund—state appropriation is provided solely for the dental education in care of the disabled graduate training program with the University of Washington.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State .....	\$	100,012,000
General Fund Appropriation—Federal .....	\$	62,045,000
Total Appropriation .....	\$	162,057,000

The appropriations in this subsection are subject to the following conditions and limitations: The appropriations in this subsection shall be initially allotted as follows:

(a) \$40,686,000 and 1,584.2 FTE staff years for the Fircrest School to operate at a biennial average daily population of 496.

(b) \$18,178,000 and 745.4 FTE staff years for the Interlake School to operate at a biennial average daily population of 250.

(c) \$43,959,000 and 1,670.4 FTE staff years for the Rainier School to operate at a biennial average daily population of 512.5.

(d) \$29,668,000 and 1,219.0 FTE staff years for the Lakeland Village School to operate at a biennial average daily population of 350.

(e) \$12,266,000 and 475.2 FTE staff years for the Yakima Valley School to operate at a biennial average daily population of 150.

(f) \$4,773,000 and 191.6 FTE staff years for the Frances Haddon Morgan Children's Center to operate at a biennial average daily population of 54.

(g) \$4,562,000 and 151.8 FTE staff years for the School for the Blind to operate at a biennial average daily population of 63.

(h) \$7,965,000 and 235.8 FTE staff years for the School for the Deaf to operate at a biennial average daily population of 205.

(3) PROGRAM SUPPORT

General Fund Appropriation—State	\$	3,742,000
General Fund Appropriation—Federal	\$	864,000
Total Appropriation	\$	4,606,000

(4) SPECIAL PROJECTS

General Fund Appropriation—State	\$	911,000
General Fund Appropriation—Federal	\$	1,152,000
Total Appropriation	\$	2,063,000

(5) The appropriations in subsections (1), (2), (3), and (4) of this section are made solely for those purposes only and no transfer shall be made among said subsections.

NEW SECTION, Sec. 56. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
LONG-TERM CARE SERVICES

General Fund Appropriation—State	\$	217,084,000
General Fund Appropriation—Federal	\$	211,341,000
Total Appropriation	\$	428,425,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall provide a coherent system of long-term care services which will allow for the most efficient, equitable, and appropriate use of available resources. These services shall be provided in the least restrictive and most cost-effective manner appropriate for individual clients.

(2) \$323,831,000, of which \$162,984,000 is from the general fund—state appropriation, is provided for nursing home services.

(a) Of the amounts provided in this subsection (2), \$8,000,000, of which \$4,000,000 is from the general fund—state appropriation, is provided solely for implementation of cost reimbursement rate reform pursuant to Substitute Senate Bill No. 3780 and chapter 74.46 RCW. If Substitute Senate Bill No. 3780 fails to become law by July 1, 1983, such portion of the appropriation shall lapse and a separate amount of \$6,000,000, of which \$3,000,000 is from the general fund—state appropriation, shall be provided solely for independent certified audits of nursing homes under RCW 74.46.120.

(b) Vendor rate adjustments for inflation under chapter 74.46 RCW shall be 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(3) \$8,000,000, of which \$4,000,000 is from the general fund—state appropriation, shall be placed in a reserve account. The department shall report not later than January 1, 1984, to the ways and means committees of the senate and house of representatives on efforts to divert clients from unnecessary nursing home placements through the use of the community options program entry system federal waiver. The report shall include data on the number of clients so diverted, the types of care and/or services provided to such clients as alternatives to nursing home placement, and the costs and savings associated with such diversions. No expenditure may be made from the reserve account established in this subsection unless specifically authorized by law.

(4) \$86,236,000, of which \$44,159,000 is from the general fund—state appropriation, is provided solely for community-based long-term care services including congregate care, adult family home care, chore services, home health care, nutrition services, transportation services, and case management services.

(a) \$452,000 of the general fund—state appropriation is provided solely for increased rates and respite care payments for adult family homes to promote participation in the program.

(b) Vendor rate adjustments shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(c) \$14,112,000 of the general fund—state appropriation is provided for implementation of the senior citizens services act. At least 7.0% of this amount shall be used for programs which utilize volunteer workers for the provision of chore services to persons whose need for chore services is not being met by the state chore service program and shall not be transferred or used for any other purpose.

(d) \$41,095,000, of which \$18,277,000 is from the general fund—state appropriation, is provided for chore services. The department shall report to the legislature by December 1, 1983, regarding the client impact of revisions to the chore services program resulting from the 1983 amendments to RCW 74.08.541.

(e) \$30,210,000, of which \$11,318,000 is from the general fund—state appropriation, is provided for the services outlined in subsections (4) (e) (l) through (v) of this section and shall be initially allotted as follows:

(i) \$18,301,000 from federal funds is provided for the federal older Americans act.

(ii) \$1,193,000, of which \$602,000 is from the general fund—state appropriation, is provided for adult day health services.

(iii) \$51,000 is provided for nursing home discharge payments.

(iv) \$8,454,000 is provided for congregate care services.

(v) \$2,211,000 is provided for adult family home services.

(5) \$10,725,000, of which \$5,941,000 is from the general fund—state appropriation, is provided for the administration of long-term care services and shall be initially allotted as follows:

(a) \$2,618,000, of which \$1,755,000 is from the general fund—state appropriation, is provided for the bureau of aging and adult services.

(b) \$8,107,000, of which \$4,186,000 is from the general fund—state appropriation, is provided for the bureau of nursing home affairs.

**NEW SECTION. Sec. 57. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME ASSISTANCE PROGRAM**

General Fund Appropriation—State .....	\$	359,127,000
General Fund Appropriation—Federal .....	\$	314,381,000
Total Appropriation .....	\$	673,508,000

The appropriations in this section are subject to the following conditions and limitations:

(1) 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.

(2) The department shall develop and submit to the federal department of health and human services a work incentive demonstration project proposal to allow administration of the work incentive program to be solely borne by the department of social and health services. Before implementation of the proposal, but not later than December 1, 1983, the department shall report to the ways and means and social and health services committees of the senate and house of representatives. The report shall advise the legislature regarding effects of the proposal on (a) the administration of the work incentive program, (b) the receipt of federal funds for the program, and (c) expected client outcomes under the proposal.

(3) Public assistance grants shall not be prorated or otherwise reduced solely because of the presence in the household of an individual not legally responsible for the support of the assistance unit, and the department shall not assume any contribution from such individual for the support of the assistance unit.

(4) \$25,536,800, of which \$12,768,400 is from the general fund—state appropriation, is provided solely for aid to families with dependent children for two-parent families beginning on July 1, 1983, and continuing through June 30, 1984. Additional funds appropriated in this section may be expended for the program during such period. The department shall amend its state plan under title IVA of the federal social security act in order to secure federal matching funds for the program during such period.

(5) \$2,982,000 of the general fund—state appropriation is provided solely for general assistance to pregnant women under the 1983 amendments to RCW 74.04.005.

(6) Grant payment standards will be increased 2.5% on July 1, 1983, and 3.0% on July 1, 1984, for aid to families with dependent children, general assistance, consolidated emergency assistance, and refugee assistance.

(7) It is the continuing intention of the legislature that payment levels in the aid to families with dependent children, general assistance, and refugee assistance programs contain an energy allowance to offset the high and rising costs of energy, and that such allowance be excluded from consideration as income for the purpose of determining eligibility and benefit levels of the food stamp program to the maximum extent such exclusion is authorized under federal law and RCW 74.08.046. To this end, up to \$65,000,000 is so designated for exemptions of the following amounts:

Family size:	1	2	3	4	5	6	7	8	or more
Exemption:	\$21	27	32	39	44	50	59	64	

(8) The appropriations in this section shall be initially allotted as follows:

(a) \$18,133,000 from federal funds for refugee assistance.

(b) \$509,490,000, of which \$236,082,000 is from the general fund—state appropriation, for aid to families with dependent children—regular.

(c) \$25,536,000, of which \$12,768,000 is from the general fund—state appropriation, for aid to families with dependent children—employable.

(d) \$32,361,000 of the general fund—state appropriation for supplemental security income payments.

(e) \$66,332,000, of which \$65,127,000 is from the general fund—state appropriation, for general assistance to unemployable persons.

(f) \$2,982,000 of the general fund—state appropriation for general assistance to pregnant women.

(g) \$10,954,000, of which \$5,477,000 is from the general fund—state appropriation, for the consolidated emergency assistance program.

(h) \$3,061,000 of the general fund—state appropriation for burial assistance.

(i) \$1,871,000, of which \$990,000 is from the general fund—state appropriation, for employment and training support.

(j) \$2,788,000, of which \$279,000 is from the general fund—state appropriation, for work incentive payments.

**NEW SECTION. Sec. 58. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SOCIAL SERVICES PROGRAM**

General Fund Appropriation—State .....	\$ 84,142,000
General Fund Appropriation—Federal .....	\$ 23,736,000
General Fund Appropriation—Local .....	\$ 91,000
Total Appropriation .....	\$ 107,969,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall establish a vendor rate over and above the regular child day-care rate for therapeutic day care provided to abused or neglected children under the age of five years. A maximum of \$360,000 of moneys appropriated and allotted for child care payment may be expended for therapeutic day care.

(2) Vendor rate adjustments shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(3) \$1,185,000 of the general fund—state appropriation is provided solely for home-based social services to families with children in foster care or at risk of foster care because of family problems rather than child behavior problems.

(4) The appropriations in this section shall be initially allotted as follows:

(a) \$1,119,000 of the general fund—state appropriation for the victims of domestic violence program.

(b) \$41,808,000, of which \$35,840,000 is from the general fund—state appropriation, for foster care payments.

(c) \$8,684,000, of which \$7,201,000 is from the general fund—state appropriation, for child-care payments.

(d) \$4,664,000, of which \$3,507,000 is from the general fund—state appropriation, for adoption support.

(e) \$3,198,000, of which \$1,548,000 is from the general fund—state appropriation, for family reconciliation services.

(f) \$7,910,000, of which \$6,600,000 is from the general fund—state appropriation, for interim care.

(g) \$15,220,000, of which \$12,199,000 is from the general fund—state appropriation, for alcoholism grants.

(h) \$4,768,000, of which \$4,249,000 is from the general fund—state appropriation, for detoxification.

(i) \$9,005,000, of which \$4,025,000 is from the general fund—state appropriation, for substance abuse grants.

(j) \$7,854,000 of the general fund—state appropriation for congregate care for alcohol and substance abuse clients.

(k) \$3,739,000 of the general fund—federal appropriation for refugee services.

**NEW SECTION. Sec. 59. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE PROGRAM**

General Fund Appropriation—State .....	\$ 361,126,000
General Fund Appropriation—Federal .....	\$ 232,295,000
Total Appropriation .....	\$ 593,421,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$13,355,800, of which \$6,677,900 is from the general fund—state appropriation, is provided solely for medical assistance and limited casualty program coverage for persons in two-parent families who are categorically related to the aid to families with dependent children program, between July 1, 1983, and June 30, 1984. Additional funds appropriated under this section may be expended for the coverage during such period. The department shall amend its state plan under title XIX of the federal social security act in order to secure federal matching funds for the coverage during such period.

(2) Vendor rate adjustments for fee-for-service providers shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(3) The legislature finds and declares that rising hospital costs are a vital concern. Therefore, it is essential that an effective cost control program be pursued. The department shall pay for inpatient hospital services under the federal medicaid program through the use of rates that are reasonable and adequate to meet the costs that must be incurred by efficiently and



economically operated providers to provide services in conformity with applicable state and federal laws, regulations, and quality and safety standards.

(4) \$7,000,000 of the general fund—state appropriation shall be placed in a reserve account. The department is directed to report to the legislature not later than January 1, 1984, on its methods for establishing inpatient hospital payment rates, the changes it anticipates in such rates during the fiscal year ending June 30, 1985, the reasons therefor, and any anticipated additional expenditures for inpatient hospital treatment during such fiscal year. No expenditure shall be made from the reserve account established in this subsection until specifically authorized by law.

(5) The department is directed to seek increased participation of 3,000 additional recipients over those currently enrolled in health maintenance organizations and individual practice associations. By December 31, 1984, the department shall report to the legislature on progress in these efforts.

(6) The department shall establish by rule a system to ensure that the appropriations in this section are not expended to cover persons who are already covered by private or other public programs.

(7) The department shall provide payment for chiropractic services under RCW 74.09.035 and 74.09.520.

(8) The department shall reimburse health care providers licensed under chapters 18.53, 18.71, 18.22, and 18.57 RCW for comparable services at equal rates.

**NEW SECTION, Sec. 60. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—**

**PUBLIC HEALTH PROGRAM**

General Fund Appropriation—State .....	\$	38,988,000
General Fund Appropriation—Federal .....	\$	53,161,000
General Fund Appropriation—Local .....	\$	5,016,000
General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)—Appropriation .....	\$	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)—Reap- propriation .....	\$	21,826,000
Total Appropriation .....	\$	138,991,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) If federal moneys are received for state health planning purposes for the fiscal year ending June 30, 1985, an equal amount of the general fund—state appropriation shall lapse.
- (2) \$1,261,000 is provided solely for poison control centers.
- (3) Vendor rate adjustments shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

**NEW SECTION, Sec. 61. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—**

**VOCATIONAL REHABILITATION PROGRAM**

General Fund Appropriation—State .....	\$	14,051,000
General Fund Appropriation—Federal .....	\$	25,602,000
Total Appropriation .....	\$	39,653,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$1,000,000 of the general fund—state appropriation is provided solely for rehabilitation services to general assistance clients. Such services shall be provided through the use of available, unmatched state funds. The division of vocational rehabilitation shall facilitate rapid referral and eligibility determination and provide services to appropriate income assistance clients who do not meet federal regulations for priority services.
- (2) Vendor rate adjustments shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

**NEW SECTION, Sec. 62. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—**

**ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund Appropriation—State .....	\$	55,494,000
General Fund Appropriation—Federal .....	\$	41,060,000
General Fund—Institutional Impact Account Appropriation .....	\$	75,000
Total Appropriation .....	\$	96,629,000

The appropriations in this section are subject to the following conditions and limitations: \$4,667,000, of which \$1,780,000 is from the general fund—state appropriation, is provided solely for the information resource management plan. This plan shall include among its top priorities continuing development of a method for the identification of common client information and the tracking of clients through all human service programs provided by the department of social and health services. Under this plan, the department of social and health services shall:

(1) Maintain the capability to provide the legislature with reports that analyze client, services delivery, and service cost data across all systems containing common client identifier information and provide unduplicated recipient counts and service histories;

(2) Incorporate the medicaid management information system into the common client identifier format;

(3) Develop rapid, flexible, and efficient data extraction and report generation; and

(4) Give priority to the following projects: (a) Community service management and operations system; (b) developmental disabilities management information system; (c) support enforcement management system; (d) automated birth certification system; and (e) mental health accounting system.

**NEW SECTION, Sec. 63. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
COMMUNITY SERVICES ADMINISTRATION PROGRAM**

General Fund Appropriation—State .....	\$	135,516,000
General Fund Appropriation—Federal .....	\$	140,640,000
General Fund Appropriation—Local .....	\$	100,000
Total Appropriation .....	\$	276,256,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$350,000 of the general fund—state appropriation is provided solely for the victims of sexual assault program.

(2) \$608,000 of the general fund—state appropriation is provided solely for additional child protective service workers. These moneys shall be used to provide an additional 12.5 full time equivalent positions for a total of at least 237.2 for the fiscal year ending June 30, 1984, and an additional 16.2 full time equivalent positions for a total of at least 240.9 for the fiscal year ending June 30, 1985. Not later than December 1, 1983, the department shall submit a report to the social and health services and ways and means committees of the senate and house of representatives describing its compliance with the requirements of this subsection, indicating the average caseload of child protective service workers by region and state-wide, and indicating what level of funds would be required to achieve an average caseload of 30 cases per worker.

(3) \$100,000 of the general fund—state appropriation is provided solely for grants to pay operating expenses of community-based private nonprofit social agencies that provide services to indigent families and senior citizens whose needs are not adequately met by government programs.

(4) \$427,000 of the general fund—state appropriation is provided solely for an increase in current staffing for family reconciliation services.

(5) \$2,181,000, of which \$1,283,000 is from the general fund—state appropriation, is provided solely for contracted training.

**NEW SECTION, Sec. 64. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
REVENUE COLLECTIONS PROGRAM**

General Fund Appropriation—State .....	\$	11,867,000
General Fund Appropriation—Federal .....	\$	23,094,000
Total Appropriation .....	\$	34,961,000

**NEW SECTION, Sec. 65. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
REAPPROPRIATIONS**

General Fund Appropriation—State .....	\$	31,857,000
General Fund Appropriation—Federal .....	\$	16,875,000
General Fund Appropriation—Local .....	\$	66,000
Total Appropriation .....	\$	48,798,000

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.

**NEW SECTION, Sec. 66. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

General Fund Appropriation—State .....	\$	15,840,000
General Fund Appropriation—Federal .....	\$	2,237,000
General Fund Appropriation—Local .....	\$	3,336,000
Total Appropriation .....	\$	21,413,000

The appropriations in this section are subject to the following conditions and limitations: \$200,000 of the general fund—state appropriation is provided solely for assistance to veterans of the Viet Nam conflict, including counseling on delayed stress syndrome, employment training and placement, discharge review, advocacy and representation, education, and other services appropriate to assist such veterans in overcoming employment barriers and readjusting to civilian life.

**NEW SECTION, Sec. 67. FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY**

General Fund Appropriation—State .....	\$	2,735,000
General Fund Appropriation—Federal .....	\$	53,568,000
Total Appropriation .....	\$	56,303,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are for fiscal year 1984. Contingent on the provisions of chapter ... (ESHB 796), Laws of 1983 and chapter 43.88 RCW, any unexpended funds at the end of this period shall be transferred to the department of economic and community development.

(2) Not more than \$419,000 of the general fund—state appropriation is provided for distribution to incorporated cities and towns for fire protection of state facilities.

(3) \$65,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter ... (SSB 3035), Laws of 1983.

(4) \$292,000 of the general fund—state appropriation, or so much thereof as may be necessary, shall be used for Mount St. Helens volcano zone enforcement patrol.

(5) \$125,000 of the general fund—state appropriation shall be provided solely for distribution to border areas within seven air miles of the Canadian border.

**NEW SECTION, Sec. 68. FOR THE HUMAN RIGHTS COMMISSION**

General Fund Appropriation—State	\$	2,968,000
General Fund Appropriation—Federal	\$	941,000
Total Appropriation	\$	3,909,000

**NEW SECTION, Sec. 69. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

General Fund—Crime Victims Compensation Account Appropriation	\$	266,000
Accident Fund Appropriation	\$	2,674,000
Medical Aid Fund Appropriation	\$	3,064,000
Total Appropriation	\$	6,004,000

The appropriations in this section are subject to the following conditions and limitations: \$12,000 of the accident fund appropriation is provided solely for an independent revalidation of the cost allocation study completed during the 1981-83 biennium. This revalidation cost study shall be transmitted to the legislature upon completion.

**NEW SECTION, Sec. 70. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

General Fund—Criminal Justice Training Account Appropriation	\$	6,054,000
--------------------------------------------------------------	----	-----------

The appropriation in this section is subject to the following conditions and limitations:

(1) \$161,000 is provided solely for the crime watch program.

(2) \$170,000 is provided solely for support of the programs of the Washington association of sheriffs and police chiefs in assisting the commission to carry out RCW 43.101.180.

**NEW SECTION, Sec. 71. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

General Fund Appropriation—State	\$	5,770,000
General Fund—Crime Victims Compensation Account Appropriation	\$	7,345,000
Accident Fund Appropriation—State	\$	50,539,000
Accident Fund Appropriation—Federal	\$	51,000
Electrical License Fund Appropriation	\$	5,347,000
Medical Aid Fund Appropriation	\$	48,354,000
Plumbing Certificate Fund Appropriation	\$	255,000
Pressure Systems Safety Fund Appropriation	\$	758,000
Total Appropriation	\$	118,419,000

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) \$50,000 of the accident fund appropriation and \$50,000 of the medical aid fund appropriation are provided solely 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. The department shall report to the legislature on the findings of the study by January 15, 1984.

**NEW SECTION, Sec. 72. FOR THE BOARD OF PRISON TERMS AND PAROLES**

General Fund Appropriation	\$	2,975,000
----------------------------	----	-----------

**NEW SECTION, Sec. 73. FOR THE HOSPITAL COMMISSION**

General Fund Appropriation—State	\$	357,000
General Fund—Hospital Commission Account Appropriation	\$	1,086,000
Total Appropriation	\$	1,443,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The commission is directed to perform aggressive rate review of individual hospital services to ensure control of rising hospital costs and efficient and economic delivery of hospital health care services.

(2) Not later than December 1, 1983, the commission shall report to the legislature on current and anticipated hospital cost inflation. The report shall include an analysis of the components of hospital operating costs and changes in those costs, together with reasons for each major change. Special attention shall be given to cost components which increase at a rate greater than inflation in the general economy of the state.

**NEW SECTION, Sec. 74. FOR THE EMPLOYMENT SECURITY DEPARTMENT**

General Fund Appropriation—State	\$	2,054,000
General Fund Appropriation—Federal	\$	133,049,000
General Fund Appropriation—Local	\$	17,159,000
Administrative Contingency Fund		
Appropriation—Federal	\$	6,638,000
Unemployment Compensation Administration Fund Appropriation	\$	92,543,000
Total Appropriation	\$	251,443,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$786,000 is provided solely for the ex-offender work orientation program to serve a minimum of 1,094 ex-offenders in the community, and provide work orientation to a minimum of 500 offenders pending release. Services to offenders in addition to those provided under the appropriations in this section may be provided upon reimbursement by the department of corrections at the rate of \$605 per participant.

(2) \$313,000 is provided solely for the career awareness program to provide services to 371 ex-offenders. Services may be provided to additional ex-offenders upon reimbursement by the department of corrections at the rate of \$844 per participant.

(3) The employment security department, through the youth employment exchange or other programs, shall provide for the recruitment of corps members and the receipt of federal funds for the conservation corps established under Engrossed Second Substitute Senate Bill No. 3624.

**NEW SECTION, Sec. 75. FOR THE COMMISSION FOR THE BLIND**

General Fund Appropriation—State	\$	1,682,000
General Fund Appropriation—Federal	\$	3,415,000
Total Appropriation	\$	5,097,000

The appropriations in this section are subject to the following conditions and limitations: The commission for the blind shall report in writing by December 1, 1984, to the committees on ways and means of the senate and the house of representatives on the economy and effectiveness of the orientation and training center. The report shall include, but not be limited to, analysis of the characteristics of the clients and the target population, curriculum content and practices, client tracking after leaving the center, number of persons served, costs per client, and program costs.

**NEW SECTION, Sec. 76. FOR THE CORRECTIONS STANDARDS BOARD**

General Fund Appropriation—State	\$	512,000
General Fund—Local Jail Improvement and Construction Account		
Appropriation	\$	113,124,000
Total Appropriation	\$	113,636,000

**NEW SECTION, Sec. 77. FOR THE SENTENCING GUIDELINES COMMISSION**

General Fund Appropriation	\$	551,000
----------------------------	----	---------

**NEW SECTION, Sec. 78. FOR THE STATE ENERGY OFFICE**

General Fund Appropriation—State	\$	1,104,000
General Fund Appropriation—Federal	\$	13,032,000
General Fund Appropriation—Private/Local	\$	60,000
Total Appropriation	\$	14,196,000

**NEW SECTION, Sec. 79. FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund Appropriation—State	\$	76,000
General Fund Appropriation—Private/Local	\$	67,000
Total Appropriation	\$	143,000

**NEW SECTION, Sec. 80. FOR THE DEPARTMENT OF ECOLOGY**

General Fund Appropriation—State	\$	20,937,000
General Fund Appropriation—Federal	\$	9,834,000
General Fund—Special Grass Seed Burning Research Account		
Appropriation	\$	68,000
General Fund—Reclamation Revolving Account Appropriation	\$	999,000
General Fund—Litter Control Account Appropriation	\$	4,310,000
Stream Gaging Basic Data Fund Appropriation	\$	200,000
General Fund—State and Local Improvements Revolving		
Account—Waste Disposal Facilities: Appropriated pursuant to		
chapter 127, Laws of 1972 ex. sess. (Referendum 26)	\$	14,511,000
General Fund—State and Local Improvements Revolving		
Account—Waste Disposal Facilities: Reappropriation (Referen-		
dum 26)	\$	60,923,000
General Fund—State and Local Improvements Revolving		
Account—Water Supply Facilities: Appropriated pursuant to		
chapter 128, Laws of 1972 ex. sess. (Referendum 27)	\$	1,051,000
General Fund—State and Local Improvements Revolving		
Account—Water Supply Facilities: Reappropriation (Referen-		
dum 27)	\$	8,788,000

General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess. ....	\$ 1,926,000
General Fund—Emergency Water Project Revolving Account: Reappropriation .....	\$ 9,343,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38) .....	\$ 16,711,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referen- dum 38) .....	\$ 15,805,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursu- ant to chapter 159, Laws of 1980 (Referendum 39) .....	\$ 67,589,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Reappropriation (Ref- erendum 39) .....	\$ 265,858,000
Total Reappropriation .....	\$ 360,717,000
Total New Appropriation .....	\$ 138,136,000
Total Appropriation .....	\$ 498,853,000

The appropriations in this section are subject to the following conditions and limitations:

(1) On or before October 1, 1983, the department of ecology shall file with the committees on ways and means of the senate and house of representatives and the office of financial management a master compilation by project type of those projects proposed for funding during the 1983-85 biennium from the appropriations for waste disposal facilities and water supply facilities. A separate compilation shall be supplied for each referendum bond issue. The department shall submit updates for the master compilation to the committees on ways and means and the office of financial management at six-month intervals during the 1983-85 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering the projects. If the department proposes to change or modify any project list on the master compilation, it shall give the committees on ways and means and the office of financial management thirty days' written notice of the change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall immediately inform the committees and the office of financial management of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities. In the event that the department does not comply fully and in a timely manner with the several compilations, updates, and modification reports required by this subsection, the director of the office of financial management is authorized to place in reserve the second year funds allotted to the department until such time as the documents are produced and distributed as directed herein.

(2) The appropriation from the state and local improvements revolving account—water supply facilities (Referendum 27) may be expended to pay up to 50% of the eligible cost of any project, as a grant or loan or combination thereof. Also, the department may lend up to 100% of the eligible costs of preconstruction activities and the department may provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(3) The appropriation from the state and local improvements revolving account—waste disposal facilities (Referendum 26) may be expended by the department to pay for up to 50% of the eligible cost of any project, as a grant or up to 100% as a loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(4) The appropriation from the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) may be expended by the department to pay up to 75% of the eligible cost of any project as a grant or up to 100% as a loan, or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(5) No grant or loan or combination thereof shall be made for preconstruction activities for projects which cannot be constructed without an increase in the remaining voter authorized bond capacity.

(6) \$985,000 of the general fund—state appropriation is provided for grants to activated air pollution control authorities.

(7) \$68,000 of the general fund—special grass seed burning research account appropriation shall be expended for funding of a grass burning research project by the University of Washington.

(8) \$1,500,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter \_\_\_\_ (2SSB 3624), Laws of 1983.

(9) \$85,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter \_\_\_\_ (SSB 3156), Laws of 1983.

(10) The department of ecology shall be the eligible recipient of federal moneys for the purposes of carrying out the provisions of Engrossed Substitute Senate Bill No. 3273.

(11) If House Bill No. 595 is enacted before July 1, 1983, the general fund—state and local improvements revolving account—water supply facilities appropriation shall be reduced by \$14,500,000.

(12) The department may operate, and seek and accept grants or gifts for the purpose of operating and maintaining, the Padilla Bay estuarine sanctuary and interpretive center.

**NEW SECTION, Sec. 81. FOR THE ENVIRONMENTAL HEARINGS OFFICE**

General Fund Appropriation . . . . . \$ 712,000

**NEW SECTION, Sec. 82. FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL**

General Fund Appropriation—Private/Local . . . . . \$ 3,473,000

**NEW SECTION, Sec. 83. FOR THE STATE PARKS AND RECREATION COMMISSION**

General Fund Appropriation—State . . . . . \$ 27,952,000

General Fund Appropriation—Private/Local . . . . . \$ 566,000

General Fund—Trust Land Purchase Account Appropriation . . . . . \$ 7,694,000

General Fund—Winter Recreation Parking Account Appropriation . . . . . \$ 156,000

General Fund—Snowmobile Account Appropriation . . . . . \$ 681,000

General Fund—Outdoor Recreation Account Appropriation . . . . . \$ 152,000

Motor Vehicle Fund Appropriation . . . . . \$ 800,000

Total Appropriation . . . . . \$ 38,001,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The commission shall operate the state park system on a modified schedule that will allow for management closures that will facilitate maximum park maintenance efforts.

(2) \$600,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter \_\_\_\_ (2SSB 3624), Laws of 1983.

**NEW SECTION, Sec. 84. FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

General Fund Appropriation—State . . . . . \$ 307,000

General Fund Appropriation—Federal . . . . . \$ 908,000

Total Appropriation . . . . . \$ 1,215,000

**NEW SECTION, Sec. 85. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION**

General Fund—Outdoor Recreation Account Appropriation—  
State . . . . . \$ 12,025,000

General Fund—Outdoor Recreation Account Appropriation—  
Federal . . . . . \$ 3,997,000

Total Appropriation . . . . . \$ 16,022,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$86,000 of the outdoor recreation account—state appropriation shall be used by the committee to contract with the department of natural resources, or others, for the preparation of a comprehensive guide to public parks and recreational sites within Washington as required by RCW 43.99.142. Such guide shall coordinate site data of all state and federal agencies providing public recreational facilities in the state, except that the guide shall be sold for an amount sufficient to cover the costs involved, and to reimburse the outdoor recreation account.

(2) A maximum of \$1,520,000 may be expended for administration.

(3) No grant from the proceeds of general obligation bond sales may be made without matching federal moneys.

**NEW SECTION, Sec. 86. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

General Fund Appropriation . . . . . \$ 3,086,000

The appropriation in this section is subject to the following conditions and limitations: The appropriations are for expenditure by the department of commerce and economic development in fiscal year 1984. Contingent on the provisions of chapter \_\_\_\_ (ESHB 796), Laws of 1983 and chapter 43.88 RCW, any unexpended funds at the end of this period shall be transferred to the department of economic and community development.

**NEW SECTION, Sec. 87. FOR THE DEPARTMENT OF FISHERIES**

General Fund Appropriation—State . . . . . \$ 38,614,000

General Fund Appropriation—Federal . . . . . \$ 6,580,000

General Fund Appropriation—Private/Local . . . . . \$ 2,083,000

Total Appropriation . . . . . \$ 47,277,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$285,000 of the general fund appropriation, of which \$191,000 shall be from federal funds, or so much thereof as may be necessary, shall be expended for enhancement of the marine fish program.

(2) \$109,000 of the general fund—state appropriation shall be expended for the enhancement of the shellfish program.

(3) \$495,000 of the general fund—state appropriation shall be expended for additional salmon production.

(4) \$600,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter \_\_\_\_ (2SSB 3624), Laws of 1983.

**NEW SECTION, Sec. 88. FOR THE DEPARTMENT OF GAME**

General Fund Appropriation—State .....	\$	600,000
General Fund Appropriation—Federal .....	\$	76,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation .....	\$	159,000
Game Fund Appropriation—State .....	\$	35,492,000
Game Fund Appropriation—Federal .....	\$	12,224,000
Game Fund Appropriation—Private/Local .....	\$	1,318,000
Game Fund—Special Wildlife Account Appropriation .....	\$	250,000
Total Appropriation .....	\$	50,119,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The \$600,000 general fund—state appropriation shall be used solely to carry out the purposes of chapter \_\_\_\_ (2SSB 3624), Laws of 1983.

(2) \$152,000, of which \$76,000 shall be from the game fund—state appropriation and \$76,000 shall be from the general fund—federal appropriation, shall be expended for the maintenance and security of Padilla Bay estuarine sanctuary.

(3) If House Bill No. 105 is enacted before July 1, 1983, the game fund—state appropriation shall be reduced by \$352,000.

**NEW SECTION, Sec. 89. FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund Appropriation—State .....	\$	26,380,000
General Fund Appropriation—Federal .....	\$	451,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation .....	\$	2,096,000
General Fund—Forest Development Account Appropriation .....	\$	10,321,000
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 .....	\$	65,391,000
Total Appropriation .....	\$	106,849,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,727,000 of the general fund—state appropriation shall be expended for the general administration program. Of this amount, \$1,100,000 shall be used solely to carry out the purposes of chapter \_\_\_\_ (2SSB 3624), Laws of 1983; \$50,000 shall be used to conduct a study of the continuous transfer of material and products across state lands; and \$145,000 shall be used solely for the department of natural resources to vacate the first floor of the public lands building.

(2) Not more than \$11,239,000 of the general fund—state appropriation shall be expended for the forest fire control program.

(3) Not more than \$6,787,000 of the general fund—state appropriation shall be expended for the assistance and regulation program.

(4) Not more than \$3,627,000 of the general fund—state appropriation shall be expended for the services program. Of this amount, not more than \$843,000 shall be used to fund ten additional honor camp teams. Funds used within this program for surveying shall be limited to the establishment of boundaries of state property.

**NEW SECTION, Sec. 90. FOR THE DEPARTMENT OF AGRICULTURE**

General Fund Appropriation—State .....	\$	10,166,000
General Fund Appropriation—Federal .....	\$	626,000
General Fund—Feed and Fertilizer Account Appropriation .....	\$	17,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation .....	\$	364,000
Commercial Feed Fund Appropriation—State .....	\$	365,000
Commercial Feed Fund Appropriation—Federal .....	\$	13,000
Seed Fund Appropriation .....	\$	1,029,000
Nursery Inspection Fund Appropriation .....	\$	345,000
Total Appropriation .....	\$	12,925,000

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 \_\_\_\_ (2SSB 3624), Laws of 1983.

(5) \$104,000 is provided solely for a food bank coordinator and related costs.

**NEW SECTION, Sec. 91. FOR THE CONSERVATION COMMISSION**

General Fund Appropriation ..... \$ 300,000

**NEW SECTION, Sec. 92. FOR THE WASHINGTON CENTENNIAL COMMISSION**

General Fund Appropriation ..... \$ 226,000

**NEW SECTION, Sec. 93. FOR THE STATE PATROL**

General Fund Appropriation ..... \$ 11,487,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$1,400,000 is provided solely for the narcotics section, as authorized by RCW 43.43.610 and 43.43.620 and shall be limited to providing information to law enforcement agencies in the state on narcotic and drug law violations and providing investigative assistance on matters of state-wide concern.

(2) \$600,000 is provided solely for the organized crime intelligence unit, as authorized by RCW 43.43.854 and shall be limited to intelligence gathering activities which assist law enforcement agencies and prosecutors in cases of state-wide significance.

**NEW SECTION, Sec. 94. FOR THE DEPARTMENT OF LICENSING**

General Fund Appropriation ..... \$ 12,077,000

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

Game Fund Appropriation ..... \$ 187,000

Highway Safety Fund Appropriation ..... \$ 36,582,000

Highway Safety Fund—Motorcycle Safety Education Account

Appropriation ..... \$ 237,000

Motor Vehicle Fund Appropriation ..... \$ 34,693,000

Total Appropriation ..... \$ 89,527,000

The appropriations in this section are subject to the following conditions and limitations: \$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.

**NEW SECTION, Sec. 95. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)**

General Fund Appropriation—State ..... \$ 13,381,000

General Fund Appropriation—Federal ..... \$ 6,540,000

General Fund—Traffic Safety Education Account Appropriation ..... \$ 460,000

Total Appropriation ..... \$ 20,381,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Not more than \$460,000 may be expended for the state office administration of the traffic safety education program, including inservice training related to instruction in the risks of driving while under the influence of alcohol and other drugs.

(2) Not more than \$244,882 of the general fund—state appropriation shall be expended for a program to provide additional inservice training for math, science, and computer technology instructors.

**NEW SECTION, Sec. 96. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION FORMULA FOR FISCAL YEARS 1984 AND 1985**

General Fund Appropriation ..... \$ 2,912,752,000

The appropriation in this section is subject to the following conditions and limitations:

(1) For purposes of this act and RCW 28A.58.095, the superintendent of public instruction shall ensure that no district provides salary and compensation increases in excess of the amount and/or percentages specified in this act for the 1984-85 school year. A school district may provide a salary increase for the 1983-84 school year up to the percent or amount specified in this section for the 1984-85 school year: PROVIDED, That for the 1983-84 and 1984-85 school years, 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 when applied to the district's respective basic education allocation, 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.



(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 \$5,562 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 \$10,598 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 \$15,286,000 outside the basic education formula as follows:

(a) A maximum of \$620,000 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 \$1,650,000 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 may be distributed for school district emergencies.

(d) A maximum of \$4,366,000 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 \$4,658,000 in fiscal year 1985 may be expended for substitute teachers. Funds shall be distributed to school districts at a rate not to exceed \$250 per year per full time equivalent classroom teacher in the basic education and handicapped programs.

(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.

NEW SECTION. Sec. 97. SALARY AND COMPENSATION DEFINITIONS

For purposes of sections 98 through 110 of this act, the following definitions apply:

(1) "State-supported staff" means state-funded staff in the following programs: Basic education (program 00), general instructional support (program 94), general support (program 97), secondary vocational education (program 30), skill centers (program 45), handicapped (program 21), vocational-technical institutes/adult education (programs 47 and 48), state institutions (program 46), educational service districts, and transportation (program 99).

(2) "Incremental fringe benefits" means 7.0% for certificated staff and 14.0% for classified staff, which percentage shall be applied to salary increases and is for employer contributions to old age survivor's insurance, workers' compensation, unemployment compensation, and, with respect to classified staff, retirement benefits under the public employees' retirement system (chapter 41.40 RCW).

(3) "LEAP Document 5" means the computer tabulation of 1982-83 derived base salaries for basic education certificated staff and 1982-83 average salaries for basic education classified staff, as developed by the legislative evaluation and accountability program committee on April 5, 1983, at 15:57 hours.

NEW SECTION. Sec. 98. DETERMINATION OF STAFF MIX FACTOR AND CERTIFICATED BASE SALARY

For purposes of determining the 1983-84, and 1984-85 school year staff mix factor and certificated base salary by district, the following definitions apply:

(1) Basic education certificated staff includes all full time equivalent certificated staff in the following programs:

- (a) Basic education (program 00);
- (b) Secondary vocational education (program 30);
- (c) Skill centers (program 45);
- (d) General instructional support (program 94);
- (e) General support (program 97).

(2) The 1982-83 certificated base salary to be used for basic education allocation purposes shall be that specified in LEAP Document 5.

(3) The staff mix factor table developed by the legislative evaluation and accountability program committee (LEAP) (reference LEAP Document 1) shall be employed to calculate each district's base salary for basic education certificated staff.

(4) The average staff mix factor for 1983-84, and 1984-85 for each district shall be calculated using the staff referenced in subsection (1) of this section for the respective school year and the table referenced in subsection (3) of this section.

NEW SECTION. Sec. 99. DETERMINATION OF CLASSIFIED SALARIES

The 1982-83 basic education average classified salary to be used for basic education allocation purposes shall be as specified for each district in LEAP Document 5 and shall be for the total number of such full time equivalent staff in the following programs:

- (1) Basic education (program 00);
- (2) Secondary vocational education (program 30);
- (3) Skill centers (program 45);
- (4) General instructional support (program 94);
- (5) General support (program 97).

NEW SECTION. Sec. 100. BASIC EDUCATION ALLOCATION—CALCULATION OF CERTIFICATED STAFF COMPENSATION

(1) The certificated compensation allocation for school year 1983-84 shall be the sum of the following subsections:

(a) Maintenance of compensation shall be calculated using each district's 1982-83 base salary established in LEAP Document 5 times the number of certificated staff units generated in section 96 (2) (a) through (d) of this act in each district times each district's particular 1982-83 average staff mix factor improved by 7.43%;

(b) Health benefits shall be calculated at the rate of \$137 per month per certificated full time equivalent staff units generated in section 96 (2) (a) through (d) of this act.

(2) The certificated compensation allocation for school year 1984-85 shall be the sum of the following subsections:

(a) Maintenance of compensation calculated by using each district's 1982-83 base salary established in LEAP Document 5 times the number of staff units generated in section 96 (2) (a) through (d) of this act times each district's particular 1983-84 average staff mix factor improved by 7.66%;

(b) Health benefits shall be calculated at the rate of \$137 per month per certificated full time equivalent staff units generated in section 96 (2) (a) through (d) of this act.

NEW SECTION. Sec. 101. BASIC EDUCATION ALLOCATION—CALCULATION OF CLASSIFIED STAFF COMPENSATION

(1) The 1983-84 basic education classified compensation allocation for each district shall be the sum of the following subsections:

(a) Maintenance of classified compensation shall be calculated using the staff units generated in section 96 (4) (a) through (c) of this act, times each district's 1982-83 average classified salary, established in LEAP Document 5, improved by 16.55%;

(b) Health benefits shall be calculated at the rate of \$137 per month per classified full time equivalent staff units generated in section 96 (4) (a) through (c) of this act.

(2) The 1984-85 basic education classified compensation allocation for each district shall be the sum of the following:

(a) Maintenance of classified compensation shall be calculated using the staff units generated in section 96 (4) (a) through (c) of this act times each district's 1982-83 average classified salary, established in LEAP Document 5, improved by 16.78%;

(b) Health benefits shall be calculated at the rate of \$137 per month per classified full time equivalent staff units generated in section 96 (4) (a) through (c) of this act.

**NEW SECTION. Sec. 102. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SALARY AND COMPENSATION INCREASES**

General Fund Appropriation ..... \$ 70,041,000

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 \$26,118,000 shall be distributed for insurance benefit increases for full time equivalent state-supported staff as defined in section 97(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) A maximum of \$9,185,000 is provided, effective November 1, 1984, for incremental fringe benefits in section 97(2) of this act and 5.0% of the 1982-83 LEAP Document 5 state-wide average salary for state-supported basic education classified staff as defined in section 97(1) of this act. With respect to the remaining state-supported classified staff of a district as defined in section 97(1) of this act, the superintendent shall distribute a 5.0% salary increase using the pertinent program state-wide average salary for such staff.

(b) 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 (4)(c) of this section. Such a report shall consider present practices by the state personnel board in granting increments.

(c) The superintendent of public instruction shall, during the 1984-85 school year, allocate \$400,000 of the funds allocated by subsection (4)(a) of this section to each district in accordance with its particular 1983-84 complement of staff.

(d) 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.

(5) A maximum of \$34,738,000 is provided effective November 1, 1984, for incremental fringe benefits in section 97(2) of this act and 5.0% 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 98(3) of this act) for state-supported basic education staff as defined in section 97(1) of this act. With respect to the remaining state-supported certificated staff of a district as defined in section 97(1) of this act, the superintendent shall distribute a 5.0% 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) 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) Districts may grant increases in insurance benefits to achieve a rate of \$159.00 per individual employee in the 1983-84 school year and \$159.00 in the 1984-85 school year. For districts having rates greater than \$159.00 per individual employee in 1982-83, any increase granted in 1983-84 shall constitute salary increase. For districts having rates greater than \$159.00 per individual employee in the 1983-84 school year, any increase granted in 1984-85 shall constitute salary increase.

(c) Increments granted by school districts to certificated staff 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.

(7) The salary increases authorized in subsections (4) and (5) of this section shall not apply to any employee whose annual salary is \$40,000 or greater. Moneys saved pursuant to this subsection shall be placed in reserve.

**NEW SECTION. Sec. 103. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION**

General Fund Appropriation ..... \$ 168,874,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) A maximum of \$73,364,000 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.

**NEW SECTION. Sec. 104. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-TECHNICAL INSTITUTES**

General Fund Appropriation ..... \$ 53,586,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) (a) The 1983-84 school year appropriation is based on an enrollment of 10,638 full time equivalent students at a state support level per student of \$2,461, not including salary and insurance benefit increases.
- (b) The 1984-85 school year appropriation is based on an enrollment of 11,255 full time equivalent students at a state support level per student of \$2,491, not including salary and insurance benefit increases.
- (2) Not more than \$619,000 of this appropriation may be expended for adult education.

**NEW SECTION. Sec. 105. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL FOOD SERVICE PROGRAMS**

General Fund Appropriation—State ..... \$ 6,000,000  
 General Fund Appropriation—Federal ..... \$ 60,611,000  
 Total Appropriation ..... \$ 66,611,000

**NEW SECTION. Sec. 106. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR HANDICAPPED COSTS**

General Fund Appropriation—State ..... \$ 271,088,000  
 General Fund Appropriation—Federal ..... \$ 27,641,000  
 Total Appropriation ..... \$ 298,729,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) A maximum of \$125,586,000 of the general fund—state appropriation may be expended in fiscal year 1983-84.
- (2) The superintendent of public instruction shall allocate funds in accordance with LEAP Document 6 for school years 1983-84 and 1984-85.
- (3) The superintendent shall establish a new system for district reporting of preschool handicapped enrollment which results in uniform reporting consistent with attendance laws and rules.

**NEW SECTION. Sec. 107. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE TRAFFIC SAFETY PROGRAM**

General Fund—Traffic Safety Education Account Appropriation ..... \$ 17,141,000

The appropriation in this section is subject to the following condition or limitation: Not more than \$446,000 may be expended for traffic safety education coordinators.

**NEW SECTION. Sec. 108. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS**

General Fund Appropriation—State ..... \$ 4,807,000  
 State Funding Sources ..... \$ 3,664,000  
 Total Appropriation ..... \$ 8,471,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) Educational service districts shall be apportioned funds based upon the following schedule:

	General Fund—State	State Funding Sources
E.S.D. No. 101	\$609,000	\$610,000
E.S.D. No. 105	\$584,000	\$292,000
E.S.D. No. 112	\$491,000	\$492,000
E.S.D. No. 113	\$524,000	\$525,000
E.S.D. No. 114	\$451,000	\$226,000
E.S.D. No. 121	\$429,000	\$430,000
E.S.D. No. 123	\$569,000	\$285,000
E.S.D. No. 171	\$696,000	\$349,000
E.S.D. No. 189	\$454,000	\$455,000
Total	\$4,807,000	\$3,664,000

- (2) School districts in the respective educational service districts shall provide the amounts specified from state funding sources accruing under section 96 of this act on a per capita enrollment basis prior to June 30th of each school year.

(3) Educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.21.088 (3) and (4).

**NEW SECTION.** Sec. 109. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR BLOCK GRANTS

General Fund Appropriation—State . . . . . \$ 45,957,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) A maximum of \$27,328,000 may be expended in fiscal year 1983-84.
- (2) A maximum of \$4,148,000 may be allocated by the superintendent for the support of specific learning disabled programs for the 1983-84 school year as reassessment of the currently eligible students occurs as a result of changes in state regulations.
- (3) Of the appropriation provided by this section, a minimum of \$28,632,000 shall be distributed as follows:
  - (a) 30% on the basis of full time equivalent enrollment;
  - (b) 18% on the basis of aid to families with dependent children income enrollment in the prior school year;
  - (c) 12% on the basis of minority enrollment in the prior school year;
  - (d) 12% on the basis of gifted enrollment in the prior school year;
  - (e) 12% on the basis of racial isolation enrollment in the prior school year;
  - (f) 6% on the basis of limited English speaking enrollment in the prior school year; and
  - (g) 10% on the basis of Indochinese refugees as defined by federal regulation.

Except as otherwise provided, the categories of enrollment shall be defined in accordance with the allocation methodology developed by the governor's advisory committee for chapter II of the education consolidation and improvement act in effect for the 1982-83 school year.

(4) A maximum of \$12,900,000 may be distributed for the remaining months of the 1982-83 school year.

(5) The funds allocated by subsection (3) of this section may be expended by school districts for provision of special instructional programs, including but not limited to: Remediation assistance programs; cultural enrichment programs; transitional bilingual programs; preschool education programs; alternative education programs; community involvement programs (including PUSH-EXCEL); environmental education programs; education for superior students programs; Indian education programs; Pacific Science Center programs.

(6) The superintendent of public instruction shall contract \$257,000 for services to support an approved gifted program to be conducted at Fort Worden state park.

(7) Salary and benefits increases are included in the funds allocated by this section.

**NEW SECTION.** Sec. 110. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE INSTITUTIONAL EDUCATION PROGRAMS

General Fund Appropriation—State . . . . . \$ 20,857,000  
 General Fund Appropriation—Federal . . . . . \$ 5,450,000  
 Total Appropriation . . . . . \$ 26,307,000

The appropriations in this section are subject to the following condition or limitation: Not more than \$3,355,783 shall be expended for support of basic education programs for juveniles confined in county detention centers.

**NEW SECTION.** Sec. 111. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE ENUMERATED PURPOSES

General Fund Appropriation—Federal . . . . . \$ 93,956,000

- (1) Education Consolidation and Improvement Act of 1981 . . . . . \$ 90,483,000
- (2) Education of Indian Children . . . . . \$ 367,000
- (3) Adult Basic Education . . . . . \$ 3,106,000

**NEW SECTION.** Sec. 112. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION IN 1982-83 SCHOOL YEAR SALARY INCREASES

General Fund Appropriation . . . . . \$ 500,000

The appropriation in this section is subject to the following conditions and limitations: \$500,000 shall be distributed to eligible school districts on the same basis as \$451,000 was distributed under section 74(10), chapter 50, Laws of 1982 1st ex. sess. (unmodified).

**NEW SECTION.** Sec. 113. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE ENCUMBRANCE OF FEDERAL GRANTS

General Fund Appropriation—Federal . . . . . \$ 27,380,000

**NEW SECTION.** Sec. 114. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS

General Fund Appropriation . . . . . \$ 1,100,000

**NEW SECTION.** Sec. 115. HIGHER EDUCATION

The appropriations in sections 116 through 122 of this act are subject to the following conditions and limitations:

(1) The community colleges shall not expand ungraded offerings above the level estimated for 1981-82.

(2) No funds may be used for the inauguration or operation of any new degree program until the program has been reviewed and favorably recommended by the council for postsecondary education.

(3) Eastern Washington University shall not expand its enrollment or offerings in Spokane prior to the completion of the Spokane off-campus study by the office of financial management.

(4) The research universities shall expand their self-sustaining continuing education activities for professional engineers.

(5) The boards of regents of the University of Washington and Washington State University may waive all tuition, operating, and service and activities fees for foreign exchange students from Washington's sister state, the Sichuan province of the People's Republic of China. Tuition and fees shall not be waived for more than a total of four students during each year of the biennium. The waiver shall not be subject to the limitations established in RCW 28B.15.740.

(6) As used in sections 116 through 122 of this act:

(a) "Comparable cost" has the meaning used in the calculation of table 2 of the Washington state higher education enrollment forecasts published by the office of financial management in January, 1983.

(b) "Regular academic year enrollments" excludes summer school enrollments except for the community colleges.

(7) The state board shall review and modify its allocation methods for enrollments to recognize any recent change in student demand and needs. In determining demand and needs, the state board shall consider the needs of new industries, with special reference to the semiconductor industry, and any other state economic growth that community college education can enhance in rural as well as metropolitan areas. In addition, reallocation of student enrollments that would maximize the highest quality educational offerings shall be considered. The state board shall report on its allocation method to the ways and means committees of the respective houses by September 1, 1983.

(8) Eastern Washington University, Central Washington University, The Evergreen State College and the state board for community college education shall expend up to \$25,000 each to conduct a program review in the manner of the recently completed review done by Western Washington University. The results of these reviews shall be reported to the ways and means committees of the respective houses by November 1, 1983.

**NEW SECTION. Sec. 116. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**

(1) General Fund Appropriation—Federal ..... \$ 9,000

(2) \$12,065,438 is appropriated from the general fund for the replacement and repair of instructional equipment.

(3) Not more than \$3,310,587 may be spent for the small school adjustment to Skagit Valley (fiscal year 1984 only), Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, and Walla Walla Community Colleges. The distribution of such funds in fiscal year 1984 shall be based on a percent of formula entitlement for faculty staffing which shall be increased at the rate of one percentage point above the 69.0% base level for each 100 full time equivalent students below the 2,500 full time equivalent student enrollment level, except that no community college shall be funded in excess of 84.0% of formula. The distribution of such funds in fiscal year 1985 shall be based on a percent of formula entitlement for faculty staffing which shall be increased at the rate of one percentage point above the 71.0% base level for each 100 full time equivalent students below the 2500 full time equivalent student enrollment level, except that no community college shall be funded in excess of 86.0% of formula.

(4) \$227,492,904 is appropriated from the general fund for basic direct instructional resources. Average basic direct instructional resource per comparable cost student shall not be less than \$1,346 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 3,669 per year.

(5) \$73,171,100 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$433 per year averaged for the biennium. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of state-funded full time equivalent regular academic year enrollments assumed in this act. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment basic direct instruction.

(6) \$116,366,971 is appropriated from the general fund for general university purposes, including plant maintenance, institutional support, state board operations, and instruction.

(7) The appropriations in this section are subject to the following conditions and limitations: The community college system shall maximize enrollment opportunities for vocational students.

**NEW SECTION. Sec. 117. FOR THE UNIVERSITY OF WASHINGTON**

(1) Accident Fund Appropriation ..... \$ 1,563,000

(2) Medical Aid Fund Appropriation ..... \$ 1,563,000

(3) \$1,773,000 is appropriated from the general fund for family practice medicine education and residency programs provided for by chapter 70.112 RCW.

(4) \$166,908.073 is appropriated from the general fund for basic direct instructional resources. Average basic direct instructional resource per comparable cost student shall not be less than \$3,140 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 1,702 per year.

(5) \$59,028.700 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$984 per year averaged for the biennium. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of state-funded full time equivalent regular academic year enrollments assumed in this act. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment instruction.

(6) \$172,081.227 is appropriated from the general fund for general university purposes, including research, public service, hospitals, plant maintenance, institutional support, and instruction.

(7) \$6,368,000 is appropriated from the general fund for equipment replacement.

NEW SECTION, Sec. 118. FOR WASHINGTON STATE UNIVERSITY

(1) \$81,454.522 is appropriated from the general fund for basic direct instructional resources. Average basic direct instructional resource per comparable cost student shall not be less than \$2,707 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 874 per year.

(2) \$31,139.500 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$967 per year averaged for the biennium. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of state-funded full time equivalent regular academic year enrollments assumed in this act. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment instruction.

(3) \$116,677.978 is appropriated from the general fund for general university purposes including research, public service, plant maintenance, institutional support, and instruction.

(4) \$120,000 is appropriated from the general fund for rodenticide research.

(5) \$2,474,000 is appropriated from the general fund for equipment.

(6) The appropriations in this section are subject to the following conditions and limitations:

(a) Washington State University shall make available whatever resources are requested by the office of financial management and the council for postsecondary education pursuant to section 526(5)(b) of this act.

(b) Courses classified as "community service" in the public service program shall be provided on a self-supporting basis only.

NEW SECTION, Sec. 119. FOR EASTERN WASHINGTON UNIVERSITY

(1) \$33,477.104 is appropriated from the general fund for basic direct instructional resources. Average basic direct instructional resource per comparable cost student shall not be less than \$2,475 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 360 per year.

(2) \$12,515.800 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$894 per year averaged for the biennium. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of state-funded full time equivalent regular academic year enrollments assumed in this act. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment basic direct instruction.

(3) \$22,091.096 is appropriated from the general fund for general university purposes, including research, primary support, institutional support, and instruction.

(4) \$706,000 is appropriated from the general fund for equipment.

(5) The appropriations in this section are subject to the following conditions and limitations:

(a) No operating funds may be used for the lease or maintenance of the new Spokane Center Building.

(b) In order to best utilize facilities housing public university programs within the city of Spokane, the director of financial management shall provide a recommendation on the continuation and future needs of public higher education in the city of Spokane, specifically addressing opportunities for cooperative programs. The staff of the council for postsecondary education shall provide assistance as required by the office of financial management to conduct a program review of Spokane area higher education program needs. The office of financial management shall conduct a financial analysis of the Eastern Washington University Center for Higher Education located in Spokane as part of this recommendation. The office of financial management shall submit the recommendation to the legislature by October 1, 1983.

NEW SECTION, Sec. 120. FOR CENTRAL WASHINGTON UNIVERSITY

(1) \$28,080,265 is appropriated from the general fund for basic direct instructional resources. Average basic direct instructional resource per comparable cost student shall not be less than \$2,380 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 310 per year.

(2) \$10,774,700 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$913 per year averaged for the biennium. Support instructional resources shall be calculated as moneys identified as budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of state-funded full time equivalent regular academic year enrollments assumed in this act. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment basic direct instruction.

(3) \$18,061,035 is appropriated from the general fund for general university purposes, including research, plant maintenance, institutional support, and instruction.

(4) \$646,000 is appropriated from the general fund for equipment.

**NEW SECTION, Sec. 121. FOR THE EVERGREEN STATE COLLEGE**

(1) \$11,479,067 is appropriated from the general fund for basic direct instructional resources. Average basic direct instructional resource per comparable cost student shall not be less than \$2,442 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 132 per year.

(2) \$7,235,800 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$1,540 per year averaged for the biennium. Support instructional resources shall be calculated as moneys budgeted for libraries, primary support, and student services. Students shall be calculated on the basis of state-funded full time equivalent regular academic year enrollments assumed in this act. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment basic direct instruction.

(3) \$10,284,133 is appropriated from the general fund for general college purposes, including research, plant maintenance, institutional support, and instruction.

(4) \$579,000 is appropriated from the general fund for equipment.

(5) The appropriations in this section are subject to the following conditions and limitations:

(a) The board of trustees of The Evergreen State College is directed to limit the use of campus space to that amount sufficient to serve enrollments of up to two thousand five hundred students during each year of the biennium.

(b) The board of trustees shall cooperate with the director of the department of general administration, who is directed to use such space in excess of that provided in subsection (5)(a) of this section to reduce the amount of leased space in Thurston County for offices, warehouses, and similar purposes as are required by elected state officials, institutions, departments, commissions, or other state agencies: PROVIDED, That this subsection (5)(b) shall not restrict the ability of The Evergreen State College from regaining that space if the college achieves an enrollment in excess of two thousand five hundred students.

**NEW SECTION, Sec. 122. FOR WESTERN WASHINGTON UNIVERSITY**

(1) \$36,087,022 is appropriated from the general fund for basic direct instructional resources. Average basic direct instructional resource per comparable cost student shall not be less than \$2,199 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 416 per year.

(2) \$12,210,400 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$742 per year averaged for the biennium. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of state-funded full time equivalent regular academic year enrollments assumed in this act. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment basic direct instruction.

(3) \$19,261,578 is appropriated from the general fund for general university purposes including research, primary support, institutional support, and instruction.

(5) \$1,590,000 is appropriated from the general fund for equipment.

**NEW SECTION, Sec. 123. FOR THE COUNCIL FOR POSTSECONDARY EDUCATION**

General Fund Appropriation—State	\$	27,508,000
General Fund Appropriation—Federal	\$	3,526,000
State Educational Grant Appropriation	\$	40,000
Total Appropriation	\$	31,074,000

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.



**NEW SECTION, Sec. 124. FOR THE COMMISSION FOR VOCATIONAL EDUCATION**

General Fund Appropriation—State	\$	1,986,000
General Fund Appropriation—Federal	\$	21,385,000
Total Appropriation	\$	23,371,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) No state funds may be used by the advisory council for vocational education.
- (2) The commission for vocational education shall not require of the state board for community college education or the superintendent of public instruction any report or information which is not expressly required by state or federal law or rules. With any request for information, the commission for vocational education shall note on the request the specific citation of the state or federal requirement which requires the report. The commission shall keep its compliance auditing to the minimum required by federal law or rule.

(3) Before the convening of the 1984 regular session of the legislature, the director of the commission for vocational education shall submit a report to the secretary of the senate and the chief clerk of the house of representatives regarding planned improvement in administration, program planning, and program delivery. The secretary of the senate and the chief clerk of the house of representatives shall furnish the report to the appropriate standing committees of the legislature, which shall review and comment on the report's recommendations.

**NEW SECTION, Sec. 125. FOR THE HIGHER EDUCATION PERSONNEL BOARD**

Higher Education Personnel Board Service Fund Appropriation	\$	1,309,000
-------------------------------------------------------------	----	-----------

**NEW SECTION, Sec. 126. FOR THE STATE LIBRARY**

General Fund Appropriation—State	\$	7,447,000
General Fund Appropriation—Federal	\$	2,297,000
General Fund Appropriation—Private/Local	\$	99,000
Washington Library Network Computer System Revolving Fund		
Appropriation—Private/Local	\$	7,672,000
Total Appropriation	\$	17,515,000

The appropriations in this section are subject to the following conditions and limitations: A minimum of \$75,000 of the general fund—state appropriation shall be expended for matching the costs of providing for the automation of the selection/circulation and inventory system for the Washington library for the blind and physically handicapped.

**NEW SECTION, Sec. 127. FOR THE WASHINGTON STATE ARTS COMMISSION**

General Fund Appropriation—State	\$	2,742,000
General Fund Appropriation—Federal	\$	800,000
Total Appropriation	\$	3,542,000

**NEW SECTION, Sec. 128. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation	\$	561,000
----------------------------	----	---------

**NEW SECTION, Sec. 129. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation	\$	471,000
----------------------------	----	---------

**NEW SECTION, Sec. 130. FOR THE STATE CAPITOL HISTORICAL ASSOCIATION**

General Fund Appropriation	\$	450,000
General Fund—State Capitol Historical Association Museum		
Account Appropriation	\$	90,000
Total Appropriation	\$	540,000

**NEW SECTION, Sec. 131. FOR THE TEMPORARY COMMITTEE ON EDUCATION POLICY, STRUCTURE AND MANAGEMENT**

General Fund Appropriation—State	\$	600,000
General Fund Appropriation—Private/Local	\$	34,000
Total Appropriation	\$	634,000

**NEW SECTION, Sec. 132. FOR THE GOVERNOR—EMERGENCY FUND**

General Fund Appropriation—State	\$	2,055,000
----------------------------------	----	-----------

The appropriation in this section is for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency.

**NEW SECTION, Sec. 133. FOR THE GOVERNOR—SALARY AND INSURANCE CONTRIBUTION INCREASES**

(1) There is appropriated for the four-year institutions of higher education from the General Fund	\$	18,320,000
----------------------------------------------------------------------------------------------------	----	------------

(2) There is appropriated for the community college system from the General Fund	\$	10,304,000
----------------------------------------------------------------------------------	----	------------

(3) There is appropriated for the department of corrections from the General Fund	\$	4,756,000
-----------------------------------------------------------------------------------	----	-----------

(4) There is appropriated for the department of social and health services from the:		
General Fund—State	\$	9,961,000
General Fund—Federal	\$	6,048,000

(5) There is appropriated for other state agencies from the:		
General Fund—State	\$	6,882,000
General Fund—Federal	\$	1,499,000

(6) There is appropriated for all state agencies from the Special Fund Salary and Insurance Contribution Increase Revolving Fund	\$	18,710,000
----------------------------------------------------------------------------------------------------------------------------------	----	------------

(7) The appropriations in this section shall be expended to implement:

(a) Salary increases effective November 1, 1984, averaging 5% 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 medical residents and graduate assistants, including teaching assistants and research assistants of 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): PROVIDED, That for jurisdictions included in the 1982 salary survey conducted by the higher education and state personnel boards, the increases shall implement to the extent possible the catch-up portion of such survey;

(b) Merit/market increases effective November 1, 1984, averaging 1.6% for faculty of the four-year institutions of higher education: PROVIDED, That inclusive of merit pool funds, 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 January 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. Any return of funds resulting from favorable claims experience during the 1983-85 biennium shall be held in reserve within the state employees' insurance fund.

(8) The community colleges may grant merit/market increases for faculty averaging 1.6% effective November 1, 1984: PROVIDED, That inclusive of merit pool funds, 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 January 15, 1985.

(9) The compensation increases authorized in subsections (7) (a) and (b), and (8) of this section shall not apply to any state employee whose annual salary is \$40,000 or greater. Money saved pursuant to this subsection shall be placed in reserve.

(10) 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.

**NEW SECTION, Sec. 134. FOR THE GOVERNOR—SALARY INCREASES**

General Fund Appropriation	\$	685,000
Special Fund Salary Increase Revolving Fund Appropriation	\$	825,000
Department of Personnel Service Fund Appropriation	\$	14,000
Higher Education Personnel Board Service Fund Appropriation	\$	6,000
Total Appropriation	\$	1,530,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The state personnel board and the higher education personnel board shall develop a plan for effecting a salary increase of \$100 a year for all classes and employees indexed to salary survey benchmark classes or occupational groups averaging eight or more salary ranges below the comparable worth salary practice line as measured in the 1982 comparable worth study. Such plan shall be implemented on July 1, 1984.

(2) To facilitate payment of state employee salary increases from special funds, the state treasurer is directed to transfer sufficient amounts from each special fund to the special fund salary increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

(3) The state personnel board and the higher education personnel board shall conduct additional point evaluations as necessary.

**NEW SECTION, Sec. 135. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—RETIREMENT CONTRIBUTIONS**

General Fund Appropriation	\$	506,450,000
----------------------------	----	-------------

The appropriation in this section is subject to the following conditions and limitations:

(1) Not more than \$800,000 may be expended from the general fund appropriation for contributions to the judicial retirement system.

(2) Not more than \$550,000 may be expended from the general fund appropriation for contributions to the judges' retirement system.

(3) Not more than \$192,600,000 may be expended from the general fund appropriation for contribution to the law enforcement officers' and fire fighters' retirement system.

(4) Not more than \$312,500,000 may be expended from the general fund appropriation for contribution to the teachers' retirement system.

**NEW SECTION, Sec. 136. FOR THE STATE TREASURER—TRANSFERS**

General Fund—Criminal Justice Training Account Appropriation: For transfer: (1) To the Institutional Impact Account, an amount up to \$946,000; and (2) to the Crime Victims Compensation Account, an amount up to \$1,924,000, according to schedules provided by the office of financial management	\$	2,870,000
Motor Vehicle Fund Appropriation: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the department of transportation and the Washington state patrol during the period July 1, 1983, through June 30, 1985	\$	6,427,322
General Fund Appropriation: For transfer to the Tort Claims Revolving Fund to pay tort claim settlements for the department of corrections in the Berry case and for the commission for the blind in the Engles case	\$	529,000
Perpetual Maintenance Account Appropriation: For transfer to the Site Closure Account as authorized by the director of financial management for low-level nuclear waste site closure purposes	\$	1,000,000
State Treasurer's Service Fund Appropriation: For transfer to the general fund on or before July 20, 1985, an amount up to \$11,450,000 in excess of the cash requirements in the State Treasurer's Service Fund for fiscal year 1986, for credit to the fiscal year in which earned	\$	11,450,000

**NEW SECTION, Sec. 137. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—TRANSFERS**

General Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$	12,000
Motor Vehicle Fund—State Patrol Highway Account Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$	51,000
Teachers' Retirement Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$	2,998,000

**NEW SECTION, Sec. 138. FOR BELATED CLAIMS**

(1) There is appropriated to the office of financial management for payment of supplies and services furnished in previous biennia, from the General Fund

	\$	905,000
--	----	---------

(2) The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated, for the period from the effective date of this act to June 30, 1985, except as otherwise noted.

To reimburse the general fund for expenditures from belated claims appropriations to be disbursed on vouchers approved by the office of financial management:

General Fund—Criminal Justice Training Account	\$	49,590
General Fund—Off-Road Vehicle Account	\$	141
General Fund—Snowmobile Account	\$	2,027
General fund—Institutional Impact Account	\$	13,400
General Fund—Hospital Commission Account	\$	134
General Fund—State Timber Tax Reserve Account	\$	168
General Fund—Professional Engineers' Account	\$	6,063
General Fund—Real Estate Commission Account	\$	1,028
General Fund—Capital Building Construction Account	\$	1,046
General Fund—Motor Transport Account	\$	74,404
General Fund—Resource Management Cost Account	\$	1,728
General Fund—Litter Control Account	\$	18
General Fund—Traffic Safety Education Account	\$	379
General Fund—L.I.R. Waste Disposal Account	\$	11,079
General Fund—State Building Construction Account	\$	2,860
General Fund—Outdoor Recreation Account	\$	7,876
General Fund L.I.R. Water Supply Facilities Account	\$	1,715
General Fund—L.I.R. Account—Public Recreation Facilities	\$	3,173
Electrical License Fund	\$	4,489
State Game Fund	\$	15,414
Highway Safety Fund	\$	20,897
Motor Vehicle Fund	\$	55,381
Public Service Revolving Fund	\$	5,488
State Treasurer's Service Fund	\$	25,108

Legal Services Revolving Fund .....	\$	822
General Administration Facilities and Services Revolving Fund .....	\$	615
Liquor Revolving Fund .....	\$	15,589
Accident Fund .....	\$	11,904
Medical Aid Fund .....	\$	16,629
Plumbing Certificate Fund .....	\$	147
Washington Library Network Computer System Revolving Fund .....	\$	23
Pressure System Safety Fund .....	\$	13
Total Appropriation .....	\$	349,348

NEW SECTION, Sec. 139. FOR SUNDRY CLAIMS

The following sums, or so much thereof as are necessary, are appropriated from the general fund, unless otherwise indicated, 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, except as otherwise provided, as follows:

(1) Michael Dittman, et al.; Payment of judgment in Dittman v. Western Washington University, United States District Court, Western District of Washington, Cause No. C-79-1189V .....	\$	46,000
(2) Spokane Arcades, Inc., et al.; Payment of judgment in Spokane Arcades v. Ray, United States District Court, Eastern District of Washington, Cause No. C-77-353 .....	\$	15,440
(3) Seattle School District No. 1, et al.; Payment of judgment in Seattle School District No. 1 v. State of Washington, United States Court of Appeals, 9th Circuit, Cause Nos. 79-4643, 79-4655, 79-4676, 79-4740, 79-4801, and 79-4802 .....	\$	49,929
(4) Ray Beller, Compensation for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund .....	\$	1,000
(5) Dean C. Farrrens, Compensation for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund .....	\$	13,971.49
(6) William H. Thompson, In settlement of all claims for expenses in State v. Thompson, pursuant to RCW 9.01.200 .....	\$	5,395.20
(7) Mrs. Tyler C. (Betty) Moffett, Payment in full of deceased husband's retirement contributions .....	\$	21,154.99
(8) King county, In settlement of all claims for witness fees pursuant to RCW 10.46.230 as set forth in King County v. State, Superior Court for King County, Cause No. 83-2-02342-4 .....	\$	37,995.07
(9) Department of Social and Health Services, Payment for claims outstanding submitted to the department after the 120-day statutory limit: PROVIDED, That such claims shall be paid at 50.0% of their approved value .....	\$	566,849.00
(10) United Nursing Homes, Inc. et al.; Payment to be disbursed in accordance with settlement judgment in United Nursing Homes, Inc. v. Thompson, Superior Court for Thurston County, Cause No. 80-2-01170-4 .....	\$	1,663,355.00
(11) Jerry P. Huntley, In settlement of all claims for expenses in State v. Huntley, pursuant to RCW 9.01.200 .....	\$	31,100.00

NEW SECTION, Sec. 140. FOR THE STATE TREASURER—STATE REVENUES FOR

DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution .....	\$	4,672,212
General Fund Appropriation for refund of deferred property tax .....	\$	313,000
General Fund Appropriation for public utility district excise tax distribution .....	\$	22,038,408
General Fund Appropriation for prosecuting attorneys' salaries .....	\$	1,681,453
General Fund Appropriation for motor vehicle excise tax distribution .....	\$	37,458,038
General Fund Appropriation for local mass transit assistance .....	\$	124,194,643
General Fund Appropriation for camper and travel trailer excise tax distribution .....	\$	1,509,071
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
<b>NEW SECTION, Sec. 141. FOR THE STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION</b>		
Forest Reserve Fund Appropriation for forest reserve fund distribution	\$	16,000,000
General Fund Appropriation for federal flood control funds distribution	\$	21,000
General Fund Appropriation for federal grazing fees distribution	\$	59,000
General Fund—Geothermal Account Appropriation	\$	253,000
Total Appropriation	\$	16,333,000
<b>NEW SECTION, Sec. 142. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST</b>		
Loan Principal and Interest Fund Appropriation	\$	40,500,000
Fisheries Bond Redemption Fund 1977 Appropriation	\$	3,565,497
Salmon Enhancement Bond Redemption Fund 1977 Appropriation	\$	4,240,466
Higher Education Refunding Bond Redemption Fund 1977 Appropriation	\$	8,778,253
Fire Service Training Center Bond Retirement Fund 1977 Appropriation	\$	1,641,000
Highway Bond Retirement Fund Appropriation	\$	124,040,434
Indian Cultural Center Construction Bond Redemption Fund 1976 Appropriation	\$	238,000
Higher Education Bond Redemption Fund 1977 Appropriation	\$	6,489,282
Ferry Bond Retirement Fund 1977 Appropriation	\$	27,329,487
Emergency Water Projects Bond Retirement Fund 1977 Appropriation	\$	2,582,560
General Administration Building Bond Redemption Fund Appropriation	\$	602,425
Juvenile Correctional Institutional Building Bond Redemption Fund 1963 Appropriation	\$	642,900
Public School Building Bond Redemption Fund 1965 Appropriation	\$	2,468,360
State Building and Higher Education Construction Bond Redemption Fund 1965 Appropriation	\$	3,196,170
Spokane River Toll Bridge Account Appropriation	\$	883,763
Public School Building Bond Redemption Fund 1963 Appropriation	\$	8,817,239
Higher Education Bond Retirement Fund 1979 Appropriation	\$	23,378,935
State General Obligation Bond Retirement Fund 1979 Appropriation	\$	144,440,039
Fisheries Bond Redemption Fund 1976 Appropriation	\$	764,596
State Building Bond Redemption Fund 1967 Appropriation	\$	656,310
Community College Capital Construction Bond Redemption Fund 1975, 1976, 1977 Appropriation	\$	16,102,085
Common School Building Bond Redemption Fund 1967 Appropriation	\$	6,863,935
Outdoor Recreation Bond Redemption Fund 1967 Appropriation	\$	6,239,010
Water Pollution Control Facilities Bond Redemption Fund 1967 Appropriation	\$	3,949,873
State Building and Higher Education Construction Bond Redemption Fund 1967 Appropriation	\$	10,108,978
State Building and Parking Bond Redemption Fund 1969 Appropriation	\$	2,454,980
Waste Disposal Facilities Bond Redemption Fund Appropriation	\$	57,317,854
Water Supply Facilities Bond Redemption Fund Appropriation	\$	11,995,000
Social and Health Services Facilities 1972 Bond Redemption Fund Appropriation	\$	3,720,331
Recreation Improvements Bond Redemption Fund Appropriation	\$	5,998,465
Community College Capital Improvement Bond Redemption Fund 1972 Appropriation	\$	7,497,928
State Building Authority Bond Redemption Fund Appropriation	\$	9,660,830
Office-Laboratory Facilities Bond Redemption Fund Appropriation	\$	270,870
University of Washington Hospital Bond Retirement Fund 1975 Appropriation	\$	1,156,976
Washington State University Bond Redemption Fund 1977 Appropriation	\$	561,675
Higher Education Bond Redemption Fund 1975 Appropriation	\$	2,165,125
State Building Bond Redemption Fund 1973 Appropriation	\$	3,845,698
State Building Bond Retirement Fund 1975 Appropriation	\$	1,363,500

State Higher Education Bond Redemption Fund 1973 Appropriation .....	\$	4,279,878
Social and Health Services Bond Redemption Fund 1976 Appropriation .....	\$	9,486,418
State Building (Expo 74) Bond Redemption Fund 1973A Appropriation .....	\$	379,058
Community College Refunding Bond Retirement Fund 1974 Appropriation .....	\$	9,499,105
State Higher Education Bond Redemption Fund 1974 Appropriation .....	\$	1,208,500
Total Appropriation .....	\$	581,381,788

**NEW SECTION.** Sec. 143. No appropriations in this act may be used for payment of contributions to the public employees' retirement system in excess of amounts necessary to offset the cost of benefits earned during the 1983-85 biennium. The director of the department of retirement systems shall establish contribution rates pursuant to chapter 41.40 RCW consistent with this section: PROVIDED, That the director may establish contribution rates for political subdivisions which include an allowance for the cost of any post-retirement adjustment granted in the 1983 regular session of the legislature under chapter 41.40 RCW.

**NEW SECTION.** Sec. 144. Notwithstanding the provisions of chapter 82, Laws of 1973 1st ex. sess., the house of representatives, the senate, and the permanent statutory committees shall pay expenses quarterly to the department of general administration facilities and services revolving fund for services rendered by the department for operations, maintenance, and supplies relating to buildings, structures, and facilities utilized by the legislature for the biennium beginning July 1, 1983.

**NEW SECTION.** Sec. 145. Whenever allocations are made from the governor's emergency fund appropriation to an agency which is financed in whole or in part by other than general fund moneys, the director of financial management may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance the agency. No appropriation shall be necessary to effect such repayment.

**NEW SECTION.** Sec. 146. In addition to the amounts appropriated in this act for revenue for distribution, bond retirement and interest, transfers, interest on registered warrants, and certificates of indebtedness, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under any proper bond covenant made in accordance with law.

**NEW SECTION.** Sec. 147. Amounts received by an agency as reimbursements pursuant to RCW 39.34.130 shall be considered as returned loans of materials supplied or services rendered. Such amounts may be expended as a part of the original appropriation of the fund to which it belongs, without further or additional appropriation, subject to conditions and procedures prescribed by the director of financial management, which shall provide for determination of full costs, disclosure of such reimbursements in the governor's budget, maximum interagency usage of data processing equipment and services, and such restrictions as will promote more economical operations of state government without incurring continuing costs beyond those reimbursed.

**NEW SECTION.** Sec. 148. Unless the context clearly requires otherwise, the definitions in this section apply throughout this act.

(1) "Provided solely" means that the specified amount may be spent only for the specified purpose. Unless otherwise stated in this act, any portion of an amount provided solely for a specified purpose which is unnecessary to fulfill the specified purpose shall lapse.

(2) "Lapse" means the termination of authority to spend an appropriation or portion of an appropriation.

(3) "FTE" means full time equivalent.

**NEW SECTION.** Sec. 149. 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. 150. 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."

#### MOTION

On motion of Senator McDermott, the following amendments to the amendment were considered and adopted simultaneously:

On page 10, line 32, of the amendment, after "limitations": insert "(1)" and begin a new paragraph.

On page 11, after line 2, insert the following:

"(2) 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."

On page 29, line 10, strike "\$361,126,000" and insert "\$358,388,000"

On page 29, line 11, strike "\$232,295,000" and insert "\$231,464,000"

On page 29, line 12, strike "\$593,421,000" and insert "\$589,852,000"

On page 63, line 15, delete "Not more than \$3,310,587 may be spent" and insert "\$3,310,587 is appropriated from the general fund"

On page 65, on line 36, strike "526" and insert "119"

The President Pro Tempore declared the question before the Senate to be adoption of the amendment, as amended.

The motion of Senator McDermott carried and the amendment, as amended, was adopted.

#### MOTION

On motion of Senator McDermott, the rules were suspended, Engrossed House Bill No. 1079, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed House Bill No. 1079, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed House Bill No. 1079, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 25; nays, 19; absent, 1; excused, 4.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McDermott, McManus, Moore, Owen, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 25.

Voting nay: Senators Barr, Benitz, Bluechel, Craswell, Deccio, Fuller, Guess, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Rasmussen, Sellar, Zimmerman - 19.

Absent: Senator Pullen - 1.

Excused: Senators Clarke, Haley, Hayner, von Reichbauer - 4.

ENGROSSED HOUSE BILL NO. 1079, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Senator Shinpoch, the rules were suspended and the Committee on Ways and Means was relieved of further consideration of Senate Bill No. 3909.

On motion of Senator Shinpoch, the rules were suspended, Senate Bill No. 3909 was advanced to second reading and placed on the second reading calendar.

At 8:57 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The Senate was called to order at 12:25 a.m. by President Pro Tempore Goltz.

#### MOTION

On motion of Senator Shinpoch, the Senate immediately considered Senate Bill No. 3909.

#### SECOND READING

SENATE BILL NO. 3909, by Senator McDermott

Relating to revenue and taxation.

The bill was read the second time.

#### MOTION

Senator McDermott moved adoption of the following amendment:

Sec. 1. Section 3, chapter 65, Laws of 1970 ex. sess. as amended by section 1, chapter 9, Laws of 1983 and RCW 82.04.255 are each amended to read as follows:

Upon every person engaging within the state as a real estate broker; as to such persons, the amount of the tax with respect to such business shall be equal to the gross income of the business, multiplied by the rate of ~~((two)) 1.55 percent ((until and including June 30, 1983, and one percent thereafter));~~ PROVIDED, That this tax shall be imposed only if all of the amendments contained in sections 2 through 4 of this 1983 act become law.

The measure of the tax on real estate commissions earned by the real estate broker shall be the gross commission earned by the particular real estate brokerage office including that

portion of the commission paid to salesmen or associate brokers in the same office on a particular transaction: PROVIDED, HOWEVER, That where a real estate commission is divided between an originating brokerage office and a cooperating brokerage office on a particular transaction, each brokerage office shall pay the tax only upon their respective shares of said commission: AND PROVIDED FURTHER, That where the brokerage office has paid the tax as provided herein, salesmen or associate brokers within the same brokerage office shall not be required to pay a similar tax upon the same transaction.

Sec. 2. Section 82.04.290, chapter 15, Laws of 1961 as last amended by section 2, chapter 9, Laws of 1983 and RCW 82.04.290 are each amended to read as follows:

Upon every person engaging within this state in any business activity other than or in addition to those enumerated in RCW 82.04.230, 82.04.240, 82.04.250, 82.04.255, 82.04.260, 82.04.270, and 82.04.280; as to such persons the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of ~~((two)) 1.55 percent ((until and including June 30, 1983, and one percent thereafter))~~; PROVIDED, That this tax shall be imposed only if all of the amendments contained in sections 1, 3, and 4 of this 1983 act become law. This section includes, among others, and without limiting the scope hereof (whether or not title to materials used in the performance of such business passes to another by accession, confusion or other than by outright sale), persons engaged in the business of rendering any type of service which does not constitute a "sale at retail" or a "sale at wholesale." The value of advertising, demonstration, and promotional supplies and materials furnished to an agent by his principal or supplier to be used for informational, educational and promotional purposes shall not be considered a part of the agent's remuneration or commission and shall not be subject to taxation under this section.

Sec. 3. Section 3, chapter 9, Laws of 1983 and RCW 82.04.... are each amended 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 82.04.220 through 82.04.240, inclusive, and RCW 82.04.260 through 82.04.280, inclusive, an additional tax equal to ~~((thirty-two)) fifteen~~ percent multiplied by the tax payable under RCW 82.04.220 through 82.04.240, inclusive, and RCW 82.04.260 through 82.04.280, inclusive; PROVIDED, That this additional tax shall be imposed only if all of the amendments contained in sections 1, 2, and 4 of this 1983 act become law.

(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, or 82.08.0263,~~ as a part of the tax imposed under RCW 82.04.250, an additional tax equal to ~~((thirty-two)) fifteen~~ percent multiplied by the tax payable on those activities under RCW 82.04.250; PROVIDED, That this additional tax shall be imposed only if all of the amendments contained in sections 1, 2, and 4 of this 1983 act become law.

(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, ~~((1983)) 1985.~~

Sec. 4. Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4, chapter 9, Laws of 1983 and RCW 82.04.2901 are each amended to read as follows:

~~((From and after the first day of April, 1982;))~~ Until and including the thirtieth day of June, ((1983)) 1985, there is levied and shall be collected from every person, other than persons taxed under RCW 82.04.... (section 3 ~~((of this 1983 act)),~~ chapter 9, Laws of 1983 as now or hereafter amended), for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW 82.04.250, an additional tax equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under the provisions of RCW 82.04.250; PROVIDED, That such additional tax shall be levied and collected from such persons making sales at retail in border counties in an amount equal to ((thirty-two)) fifteen percent multiplied by the tax payable under the provisions of RCW 82.04.250; PROVIDED FURTHER, That the additional tax under this section shall be imposed only if all of the amendments contained in sections 1 through 3 of this 1983 act become law.

To facilitate collection of this additional tax, 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.

Sec. 5. Section 16, chapter 10, Laws of 1982 as last amended by section 1, chapter 13, Laws of 1982 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 thirty-three one-hundredths of one percent.

(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. 6. Section 31, chapter 35, Laws of 1982 1st ex. sess. as last amended by section 8, chapter 7, Laws of 1983 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), 82.20.010(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 (~~PROVIDED, That the additional tax imposed by RCW 82.44.020(5) shall be continued at the rate of three percent for the period July 1 through September 30, 1983~~);

(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. 7. Section 14.02, chapter 79, Laws of 1947 as last amended by section 1, chapter 10, Laws of 1982 2nd ex. sess. and RCW 48.14.020 are each amended to read as follows:

(1) Subject to other provisions of this chapter, each authorized insurer except title insurers shall on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax on premiums. Except as provided in subsection (2) of this section, such tax shall be in the amount of two and sixteen one-hundredths percent of all premiums, excluding amounts returned to or the amount of reductions in premiums allowed to holders of industrial life policies for payment of premiums directly to an office of the insurer, collected or received by the insurer during the preceding calendar year in the case of foreign and alien insurers, and in the amount of one and sixteen one-hundredths percent of all such premiums in the case of domestic insurers, for direct insurances, other than ocean marine and foreign trade insurances, after deducting premiums paid to policyholders as returned premiums, upon risks or property resident, situated, or to be performed in this state. For the purposes of this section the consideration received by an insurer for the granting of an annuity shall not be deemed to be a premium.

(2) In the case of insurers which require the payment by their policyholders at the inception of their policies of the entire premium thereon in the form of premiums or premium deposits which are the same in amount, based on the character of the risks, regardless of the length of term for which such policies are written, such tax shall be in the amount of two and sixteen one-hundredths percent of the gross amount of such premiums and premium deposits upon policies on risks resident, located, or to be performed in this state, in force as of the thirty-first day of December next preceding, less the unused or unabsorbed portion of such premiums and premium deposits computed at the average rate thereof actually paid or credited to policyholders or applied in part payment of any renewal premiums or premium deposits on one-year policies expiring during such year.

(3) ~~((From and after the first day of April, 1982 until and including the thirtieth day of June, 1983;))~~ An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the taxes payable under subsections (1) ~~((and)), (2), and (4))~~ of this section. All revenues from this additional tax shall be deposited in the state general fund.

(4) Each authorized insurer shall with respect to all ocean marine and foreign trade insurance contracts written within this state during the preceding calendar year, on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax of ninety-one one-hundredths of one percent on its gross underwriting profit. Such gross underwriting profit shall be ascertained by deducting from the net premiums (i.e., gross premiums less all return premiums and premiums for reinsurance) on such ocean marine and foreign trade insurance contracts the net losses paid (i.e., gross losses paid less salvage and recoveries on reinsurance ceded) during such calendar year under such contracts. In the case of insurers issuing participating contracts, such gross underwriting profit shall not include, for computation of the tax prescribed by this subsection, the amounts refunded, or paid as participation dividends, by such insurers to the holders of such contracts.

(5) The state does hereby preempt the field of imposing excise or privilege taxes upon insurers or their agents, other than title insurers, and no county, city, town or other municipal subdivision shall have the right to impose any such taxes upon such insurers or their agents.

(6) If an authorized insurer collects or receives any such premiums on account of policies in force in this state which were originally issued by another insurer and which other insurer is not authorized to transact insurance in this state on its own account, such collecting insurer shall be liable for and shall pay the tax on such premiums.

(7) This section shall be effective as to and shall govern the payment of all taxes due for calendar year 1982 and thereafter.

Sec. 8. Section 2, chapter 278, Laws of 1957 as last amended by section 18, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.020 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district a tax for the act or privilege of engaging within this state in the business of operating works, plants or facilities for the generation, distribution and sale of electric energy. With respect to each such district, except with respect to thermal electric generating facilities taxed under RCW 54.28.025, such tax shall be the sum of the following amounts: (a) Two percent of the gross revenues derived by the district from the sale of all electric energy which it distributes to consumers who are served by a distribution system owned by the district; (b) five percent of the first four mills per kilowatt-hour of wholesale value of self-generated energy distributed to consumers by a district; (c) five percent of the first four mills per kilowatt-hour of revenue obtained by the district from the sale of self-generated energy for resale.

(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 ~~((for April, 1982, through June, 1983))~~.

Sec. 9. Section 6, chapter 366, Laws of 1977 ex. sess. as amended by section 19, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.025 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district operating a thermal electric generating facility, as defined in RCW 54.28.010 as now or hereafter amended, having a design capacity of two hundred fifty thousand kilowatts or more, located on a federal reservation, which is placed in operation after September 21, 1977, a tax for the act or privilege of engaging within the state in the business of generating electricity for use or sale, equal to one and one-half percent of wholesale value of energy produced for use or sale, except energy used in the operation of component parts of the power plant and associated transmission facilities under control of the person operating the power plant.

(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 ~~((for April, 1982, through June, 1983))~~.

Sec. 10. Section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 23, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.210 are each amended to read as follows:

(1) There is hereby imposed upon all wines sold to wine wholesalers and the Washington state liquor control board, within the state a tax at the rate of twenty and one-fourth cents per liter: PROVIDED, HOWEVER, That wine sold or shipped in bulk from one winery to another winery shall not be subject to such tax. The tax provided for in this section may, if so prescribed by the board, be collected by means of stamps to be furnished by the board, or by direct payments based on wine purchased by wine wholesalers. Every person purchasing wine under the provisions of this section shall on or before the twentieth day of each month report to the board all purchases during the preceding calendar month in such manner and upon such forms as may be prescribed by the board, and with such report shall pay the tax due from the purchases covered by such report unless the same has previously been paid. Any such purchaser of wine whose applicable tax payment is not postmarked by the twentieth day following the month of purchase will be assessed a penalty at the rate of two percent a month or fraction thereof. If this tax be collected by means of stamps, every such person shall procure from the board revenue stamps representing the tax in such form as the board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser. If the tax is not collected by means of stamps, the board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may forthwith suspend or cancel the license until all taxes are paid.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

Sec. 11. Section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 24, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.290 are each amended to read as follows:

(1) Any brewer or beer wholesaler licensed under this title may sell and deliver beer to holders of authorized licenses direct, but to no other person, other than the board; and every such brewer or beer wholesaler shall report all sales to the board monthly, pursuant to the regulations, and shall pay to the board as an added tax for the privilege of manufacturing and selling the beer within the state a tax of two dollars and sixty cents per barrel of thirty-one gallons on sales to licensees within the state and on sales to licensees within the state of bottled and canned beer shall pay a tax computed in gallons at the rate of two dollars and sixty cents per barrel of thirty-one gallons. Any brewer or beer wholesaler whose applicable tax payment is not postmarked by the twentieth day following the month of sale will be assessed a penalty at the rate of two percent per month or fraction thereof. Each such brewer or wholesaler shall procure from the board revenue stamps representing such tax in form prescribed by

the board and shall affix the same to the barrel or package in such manner and in such denominations as required by the board, and shall cancel the same prior to commencing delivery from his place of business or warehouse of such barrels or packages. Beer shall be sold by brewers and wholesalers in sealed barrels or packages. The revenue stamps herein provided for need not be affixed and canceled in the making of resales of barrels or packages already taxed by the affixation and cancellation of stamps as provided in this section.

(2) ~~(From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

(3) The tax imposed under this section shall not apply to "strong beer" as defined in this title.

Sec. 12. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 3, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected a tax upon each retail sale of spirits, or strong beer in the original package at the rate of fifteen percent of the selling price. The tax imposed in this subsection shall apply to all such sales including sales by the Washington state liquor stores and agencies, but excluding sales to class H licensees.

(2) There is levied and shall be collected a tax upon each sale of spirits, or strong beer in the original package at the rate of ten percent of the selling price on sales by Washington state liquor stores and agencies to class H licensees.

(3) There is levied and shall be collected an additional tax upon each retail sale of spirits in the original package at the rate of one dollar and seventy-two cents per liter. The additional tax imposed in this subsection shall apply to all such sales including sales by Washington state liquor stores and agencies, and including sales to class H licensees.

(4) ~~(From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the taxes payable under subsections (1), (2), and (3) of this section.

(5) The tax imposed in RCW 82.08.020, as now or hereafter amended, shall not apply to sales of spirits or strong beer in the original package.

(6) The taxes imposed in this section 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 under this section. The taxes required by this section to be collected by the seller shall be stated separately from the selling price and for purposes of determining the tax due from the buyer to the seller, it shall be conclusively presumed that the selling price quoted in any price list does not include the taxes imposed by this section.

(7) As used in this section, the terms, "spirits," "strong beer," and "package" shall have the meaning ascribed to them in chapter 66.04 RCW.

Sec. 13. Section 82.16.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 5, Laws of 1982 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, light and power, ~~(telephone)~~ 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.

(2) ~~(From and after the first day of April, 1982, until and including the thirtieth day of June, 1983:))~~ 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.

Sec. 14. Section 82.20.010, chapter 15, Laws of 1961 as amended by section 7, chapter 35, Laws of 1982 1st 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 realty 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; and for each additional five hundred dollars or fractional part thereof, fifty cents.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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) This section shall not apply to any instrument or writing, given to secure a debt, nor to any conveyance to the state.

Sec. 15. Section 82.24.020, chapter 15, Laws of 1961 as last amended by section 8, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.24.020 are each amended to read as follows:

(1) There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling, possession or distribution of all cigarettes, in an amount equal to the rate of eight and one-half mills per cigarette. For purposes of this chapter and RCW 28A.47.440, "possession" shall mean both (a) physical possession by the purchaser and, (b) when cigarettes are being transported to or held for the purchaser or his designee by a person other than the purchaser, constructive possession by the purchaser or his designee, which constructive possession shall be deemed to occur at the location of the cigarettes being so transported or held.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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, RCW 82.24.025, and 28A.47.440.

Sec. 16. Section 82.26.020, chapter 15, Laws of 1961 as last amended by section 9, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.26.020 are each amended to read as follows:

(1) From and after June 1, 1971, there is levied and there shall be collected a tax upon the sale, use, consumption, handling, or distribution of all tobacco products in this state at the rate of forty-five percent of the wholesale sales price of such tobacco products. Such tax shall be imposed at the time the distributor (a) brings, or causes to be brought, into this state from without the state tobacco products for sale, (b) makes, manufactures, or fabricates tobacco products in this state for sale in this state, or (c) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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.

Sec. 17. Section 2, chapter 98, Laws of 1980 as last amended by section 6, chapter ... (SHB 233), Laws of 1983 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 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 food fish, shellfish, or anadromous game fish whose possession constitutes the taxable event. The taxable event is the first possession by an owner after the food fish, shellfish, or anadromous game fish have been landed. Processing and handling of 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 food fish, shellfish, and anadromous game fish and liable to this tax may deduct from the price paid to the person from which the 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 of the food fish, shellfish, or anadromous game fish. 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 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) ~~((From and after the first day of July, 1982, until and including the thirtieth day of June, 1983:))~~ 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. 18. Section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. as amended by section 11, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.29A.030 are each amended to read as follows:

(1) There is hereby levied and shall be collected a leasehold excise tax on the act or privilege of occupying or using publicly owned real or personal property through a leasehold interest on and after January 1, 1976, at a rate of twelve percent of taxable rent: PROVIDED, That after the computation of the tax there shall be allowed credit for any tax collected pursuant to RCW 82.29A.040.

(2) ~~((From and after the first day of April, 1982, until and including the thirtieth day of June, 1983:))~~ 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.

Sec. 19. Section 82.44.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.44.020 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under reciprocal agreements, the provisions of RCW 46.16.160 as now or hereafter amended, or dealer's licenses. The annual amount of such excise tax shall be two percent of the fair market value of such vehicle.

(2) From and after August 1, 1978, and until August 1, 2008, an additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the state any such motor vehicle, and the annual amount of such additional excise shall be two-tenths of one percent of the fair market value of such vehicle.

(3) The department of licensing and county auditors shall collect the additional tax imposed by subsection (2) of this section for any registration year for the months of that registration year in which such additional tax is effective, and in the same manner and at the same time as the tax imposed by subsection (1) of this section.

(4) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

(5) ~~((From and after the first day of July, 1982, until and including the thirtieth day of September, 1983:))~~ An additional tax is imposed equal to the taxes payable under subsections (1) and (2) of this section multiplied by the rate ~~((of tax applicable to the periods shown as follows:~~

July 1 - September 30, 1982	4%	
October 1 - June 30, 1983	7%	
July 1 - September 30, 1983	3%	specified in RCW 82.02.030.

Sec. 20. Section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 14, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.45.060 are each amended to read as follows:

(1) There is imposed an excise tax upon each sale of real property at the rate of one percent of the selling price.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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.

Sec. 21. Section 82.48.010, chapter 15, Laws of 1961 as last amended by section 239, chapter 158, Laws of 1979 and RCW 82.48.010 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

(1) "Aircraft" means any weight-carrying device or structure for navigation of the air ~~((:))~~ which is designed to be supported by the air ~~((-but which is heavier than air))~~;

(2) "Director" means the director of licensing; ~~((and))~~

(3) "Person" includes a firm, partnership or corporation;

(4) "Small multi-engine fixed wing" means any piston-driven multi-engine fixed wing aircraft with a maximum gross weight as listed by the manufacturer of less than seventy-five hundred pounds; and

(5) "Large multi-engine fixed wing" means any piston-driven multi-engine fixed wing aircraft with a maximum gross weight as listed by the manufacturer of seventy-five hundred pounds or more.

Sec. 22. Section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030 are each amended to read as follows:

(1) The amount of the tax imposed by this chapter for each calendar year shall be ~~((fifteen dollars for each single engine aircraft, and twenty-five dollars for each multi-engine aircraft, irrespective of make, type, year of manufacture or any other type of classification. PROVIDED; That the calendar year))~~ as follows:

Type of aircraft	Registration fee
Single engine fixed wing	\$ 50
Small multi-engine fixed wing	65
Large multi-engine fixed wing	80
Turboprop multi-engine fixed wing	100
Turbojet multi-engine fixed wing	125
Helicopter	75
Sailplane	20
Lighter than air	20
Home built	20

(2) The amount of tax imposed under subsection (1) of this section for each calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax upon an aircraft registered for the first time in this state after the last day of any month shall only be levied for the remaining months of the calendar year including the month

in which the aircraft is being registered: PROVIDED (~~FURTHER~~), That the minimum amount payable shall be three dollars.

An aircraft shall be deemed registered for the first time in this state when such aircraft was not previously registered by this state for the year immediately preceding the year in which application for registration is made.

Sec. 23. Section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.071 are each amended to read as follows:

(1) Upon every person engaging within this state in business as a harvester of timber; as to such persons the amount of tax imposed with respect to such business shall be equal to the stumpage value of timber harvested between July 1, 1983, and June 30, 1985, for sale or for commercial or industrial use multiplied by the (~~appropriate~~) rate (~~as follows~~):

~~For timber harvested between October 1, 1974 and June 30, 1983, inclusive, of six and one-half percent.~~

(2) For purposes of this section:

(a) "Harvester" means every person who from his own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services fells, cuts or takes timber for sale or for commercial or industrial use. It does not include persons performing under contract the necessary labor or mechanical services for a harvester.

(b) "Timber" means forest trees, standing or down, on privately or publicly owned land, and except as provided in RCW 84.33.170 includes Christmas trees.

(c) "Stumpage value of timber" means the appropriate stumpage value shown on tables to be prepared by the department of revenue pursuant to subsection (3) of this section.

(d) Timber shall be considered harvested at the time when in the ordinary course of business the quantity thereof by species is first definitely determined. The amount harvested shall be determined by the Scribner Decimal C Scale or other prevalent measuring practice adjusted to arrive at substantially equivalent measurements, as approved by the department of revenue.

(3) The department of revenue shall designate areas containing timber having similar growing, harvesting and marketing conditions to be used as units for the preparation and application of stumpage values. Each year on or before December 31 for use the following January through June 30, and on or before June 30 for use the following July through December 31, the department shall prepare tables of stumpage values of each species or subclassification of timber within such units, which values shall be the amount that each such species or subclassification would sell for at a voluntary sale made in the ordinary course of business for purposes of immediate harvest. Such stumpage values, expressed in terms of a dollar amount per thousand board feet or other unit measure, shall be determined from (a) gross proceeds from sales on the stump of similar timber of like quality and character at similar locations, and in similar quantities, or from (b) gross proceeds from sales of logs adjusted to reflect only the portion of such proceeds attributable to value on the stump immediately prior to harvest, or from a combination of (a) and (b), and shall be determined in a manner which makes reasonable and adequate allowances for age, size, quality, costs of removal, accessibility to point of conversion, market conditions and all other relevant factors. Upon application from any person who plans to harvest damaged timber, the stumpage values for which have been materially reduced from the values shown in the applicable tables due to damage resulting from fire, blow down, ice storm, flood or other sudden unforeseen cause, the department shall revise such tables for any area in which such timber is located and shall specify any additional accounting or other requirements to be complied with in reporting and paying such tax. The preliminary area designations and stumpage value tables and any revisions thereof shall be subject to review by the ways and means committees of the house and senate prior to finalization. Tables of stumpage values shall be signed by the director or his designee and authenticated by the official seal of the department. A copy thereof shall be mailed to anyone who has submitted to the department a written request therefor.

(4) On or before the sixtieth day after the date of final adoption of any stumpage value tables, any harvester may appeal to the board of tax appeals for a revision of stumpage values for an area determined pursuant to subsection (3) of this section.

(5) There are hereby created in the state treasury a state timber tax account A and a state timber tax reserve account in the state general fund and any interest earned on the investment of cash balances shall be deposited in these accounts. The revenues from the tax imposed by subsection (1) of this section on timber harvested from privately owned land until October 1, 1983, shall be deposited in state timber tax account A and state timber tax reserve account as follows:

YEAR OF COLLECTION	ACCOUNT A	RESERVE ACCOUNT
1973 and thereafter	100%	0%

~~(The revenues from the tax imposed by subsection (1) of this section on timber harvested from publicly owned land shall be deposited in the state general fund.)~~ The revenues from such tax on timber harvested on or after October 1, 1983, from privately owned land and on or

after the effective date of this 1983 section from publicly owned land shall be deposited in a separate account within the state general fund known as the timber excise tax account. The legislature may appropriate from the account for the activities undertaken by the department of revenue relating to the collection and administration of the taxes imposed under this section and section 25 of this 1983 act.

(6) The tax imposed under this section shall be computed with respect to timber harvested each calendar quarter and shall be due and payable in quarterly installments and remittance therefor shall be made on or before the last day of the month next succeeding the end of the quarterly period in which the tax accrued. The taxpayer on or before such date shall make out a return, upon such forms and setting forth such information as the department of revenue may require, showing the amount of the tax for which he is liable for the preceding quarterly period, and shall sign and transmit the same to the department of revenue, together with a remittance for such amount.

(7) The taxes imposed by this section shall be in addition to any taxes imposed upon the same persons pursuant to one or more of sections RCW 82.04.230 to 82.04.290, inclusive, and RCW 82.04.440, and none of such sections shall be construed to modify or interact with this section in any way, except RCW 82.04.450 and 82.32.045 shall not apply to the taxes imposed by this section.

(8) Any harvester incurring less than ten dollars tax liability under this section in any calendar quarter shall be excused from the payment of such tax, but may be required by the department of revenue to file a return even though no tax may be due.

NEW SECTION. Sec. 24. There is added to chapter 84.33 RCW a new section to read as follows:

There shall be allowed a credit for taxes collected by or on behalf of a county under section 25 of this act against any tax payable under RCW 84.33.071.

NEW SECTION. Sec. 25. (1) The legislative body of any county may levy and collect a tax upon every person engaging within the county as a harvester of privately owned timber. The tax levied by a county shall not exceed sixty percent of the tax rate levied by the state on the stumpage value of the timber harvested and shall be based on the harvest values used by the state for the same period of time.

(2) The department of revenue shall collect these taxes on behalf of the county.

NEW SECTION. Sec. 26. Within thirty days after receipt, the state treasurer shall distribute from the timber excise tax account to each county the amount of tax collected on behalf of the county, less the pro rata share of administrative costs as appropriated under RCW 84.33.071(5), and shall transfer to the state general fund the amount collected on behalf of the state, less the state's pro rata share of administrative costs as appropriated under RCW 84.33.071(5).

NEW SECTION. Sec. 27. Any money received by a county after January 1, 1984, from the local timber excise tax authorized by section 25 of this act or from other timber tax accounts disbursed by the state treasurer shall be placed by the county treasurer in a county timber tax account. Distribution of such funds shall be made to the taxing districts of the county in the following manner:

(1) A timber assessed value roll shall be computed by the department of revenue for each county of the state having classified or designated forest lands before October 1 of 1983 and each year thereafter. The amount of such timber assessed value roll shall be the aggregate value of all harvested privately owned timber reported for taxation under this chapter from such classified or designated land and other land as shall be classified as of that date in the immediately preceding four quarters multiplied by the result of the rate of the county excise tax rate divided by the aggregate tax rate effective in the taxing districts of the county having classified or designated forest land within their boundaries for the current year. Each taxing district shall be apportioned a timber assessed value equal to that taxing district's proportion of the assessed value of classified and designated forest land as determined by the county assessor for the assessment year in which such money is distributed.

(2) There shall be paid to the several taxing districts of the county from the county timber tax account each calendar year, beginning with calendar year 1984, as moneys are placed in the county timber tax account, the following amounts in the following priority:

(a) From moneys available, there first shall be a distribution to each taxing district having debt service payments due during the calendar year, based upon bonds issued under authority of a vote of the people conducted pursuant to RCW 84.52.056 and based upon excess levies from the capital project fund authorized pursuant to RCW 84.52.053, of an amount equal to the timber assessed value of such district multiplied by the tax rate levied for payment of such debt service and capital projects: PROVIDED, That in respect to levies for a debt service or capital project fund authorized before the effective date of this section, the amount allocated shall not be less than an amount equal to the same percentage of such debt service or capital project fund represented by timber tax allocations to such payments in calendar year 1983 and capital projects.

Distribution under this subsection (2)(a) shall be used only for debt service payments.

(b) From the moneys remaining after the distributions under subsection (2)(a) of this section, the county treasurer shall distribute to each district an amount equal to one-half of the



timber assessed value of the district or eighty percent of the timber roll of such district in calendar year 1983 as determined under chapter 84.33 RCW, whichever is greater, multiplied by the tax rate, if any, levied by the district under RCW 84.52.052 or 84.52.053 for purposes other than debt service payments and capital projects supported under subsection (2)(a) of this section.

(c) After the distributions directed under subsection (2) (a) and (b) of this section, if any, each taxing district shall receive an amount equal to the timber assessed value of the district multiplied by the tax rate, if any, levied as a regular levy of the district.

(d) After the distributions directed under subsections (2) (a) through (c) of this section, an amount equal to one-fifth of the total distributions made during the calendar year under subsections (2) (a) through (c) of this section shall be placed in reserve for the following calendar year distributions before any further distribution is made for the current year.

(e) Any money remaining in the county timber tax account in excess of the mandated distributions and reserve requirements of subsections (2) (a) through (d) of this section shall be distributed to the several taxing districts of the county in the same proportions as the distributions made under (c) of this subsection.

(3) No distribution of money may be made to the state from the county timber tax account. NEW SECTION. Sec. 28. (1) For the purpose of determining, calculating and fixing pursuant to RCW 84.52.052 the dollar rates for all excess levies for each taxing district within which there was timber on January 1 of such year, the assessor of each county shall, for each district, add to the amount of the "assessed valuation of the property" of all property other than timber the value determined under section 27(2)(b) of this act.

(2) For the purpose of determining, calculating, and fixing pursuant to RCW 84.52.056 the dollar rates for all debt service levies for each taxing district within which there was timber on January 1 of such year, the assessor of such county shall, for each district, add to the amount of the "assessed valuation of the property" of all property other than timber the value of the timber assessed value of the district.

NEW SECTION. Sec. 29. The state timber tax account A and state timber tax reserve account established by RCW 84.33.071, as amended by section 1, chapter 148, Laws of 1981, and the timber tax distribution guarantee account provided for by sections 5 and 7, chapter 4, Laws of 1981, shall continue within the state treasury and state general fund, respectively, until all funds remaining therein after complying with section 33 of this act are distributed as follows:

(1) Any remaining timber tax moneys in the state treasury timber tax account A and reserve fund shall be distributed in the following manner:

(a) Thirty-seven percent to the state general fund for use in support of the common schools.

(b) Subject to appropriation by the legislature, sixty-three percent to the counties of the state in the proportion the receipts of harvester excise tax from each county are to the total receipts of harvester excise tax from all counties in the state in calendar years 1982 and 1983, one-fourth of such amount being payable to the counties on May 1, 1984, May 1, 1985, and May 1, 1986, and a final distribution of any balance of harvester excise taxes in these accounts on May 1, 1987.

(2) Any remaining timber tax moneys in the state treasury timber tax distribution guarantee account shall be distributed to the counties in the same proportions and percentages as provided for account A and the reserve account on May 1, 1984.

(3) Distributions to the counties under authority of this section shall be deposited in the timber tax account of said counties and disbursed to taxing districts of each county in the same priority and as part of the distributions authorized by section 27 of this act.

NEW SECTION. Sec. 30. All sections of chapter 82.32 RCW, except RCW 82.32.270, apply to taxes imposed under this chapter.

NEW SECTION. Sec. 31. There is added to chapter 84.33 RCW a new section to read as follows:

To determine the maximum bonding limit of any taxing district other than the state, the "value of the taxable property," as the term is defined in RCW 39.36.015, in the taxing district shall include an amount equal to the timber assessed value as computed under section 27 of this act.

NEW SECTION. Sec. 32. (1) The following acts or parts of acts are each repealed:

(a) Section 5, chapter 294, Laws of 1971 ex. sess., section 4, chapter 148, Laws of 1972 ex. sess., section 90, chapter 195, Laws of 1973 1st ex. sess., section 3, chapter 187, Laws of 1974 ex. sess., section 2, chapter 148, Laws of 1981 and RCW 84.33.050;

(b) Section 6, chapter 294, Laws of 1971 ex. sess., section 91, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 347, Laws of 1977 ex. sess., section 2, chapter 6, Laws of 1979 and RCW 84.33.060;

(c) Section 8, chapter 294, Laws of 1971 ex. sess., section 2, chapter 148, Laws of 1972 ex. sess., section 92, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 187, Laws of 1974 ex. sess., section 8, chapter 123, Laws of 1975-'76 2nd ex. sess., section 3, chapter 347, Laws of 1977 ex. sess., section 3, chapter 6, Laws of 1979, section 6, chapter 4, Laws of 1981, section 1, chapter 8, Laws of 1983 and RCW 84.33.080; and

(d) Section 9, chapter 294, Laws of 1971 ex. sess., section 3, chapter 148, Laws of 1972 ex. sess., section 3, chapter 148, Laws of 1981 and RCW 84.33.090.

(2) These repeals shall not be construed as affecting any existing right acquired, or any obligation or liability incurred, under the statutes repealed or under any rule, regulation, or order adopted pursuant thereto, nor as affecting any proceeding instituted thereunder.

NEW SECTION, Sec. 33. Notwithstanding section 32 of this act:

(1) The taxes due and payable under RCW 84.33.071 with respect to timber harvested during the third quarter of calendar year 1983 shall be collected and deposited in the state treasury as though sections 23 through 32 of this act had not been enacted; and

(2) The payments required to be made on November 20, 1983, by the state treasurer to the treasurer of each timber county under RCW 84.33.080 shall be made as though sections 23 through 32 of this act had not been enacted.

NEW SECTION, Sec. 34. Sections 25 through 30 of this act shall constitute a new chapter in Title 84 RCW.

Sec. 35. Section 82.32.090, chapter 15, Laws of 1961 as last amended by section 32, chapter 7, Laws of 1983 and RCW 82.32.090 are each amended to read as follows:

If payment of any tax due is not received by the department of revenue by the due date, there shall be assessed a penalty of five percent of the amount of the tax; and if the tax is not received within thirty days after the due date, there shall be assessed a total penalty of ten percent of the amount of the tax; and if the tax is not received within sixty days after the due date, there shall be assessed a total penalty of twenty percent of the amount of the tax. No penalty so added shall be less than two dollars.

If payment of any tax is received within the first ten days of the month next succeeding the month in which the tax is payable, the amount of such payment shall be credited to, and shall be treated for all purposes as having been collected during, the fiscal year which includes the month preceding the month in which such due date falls. Effective June 30, 1985, and thereafter if the payment of any tax is received during the first ~~((ten))~~ eighteen days in ~~((the month in which the tax is payable))~~ July, the amount of such payment shall be credited to, and shall be treated for all purposes as having been collected during, the preceding fiscal year ~~((which includes the month preceding the month in which such due date falls))~~.

If a warrant is issued by the department of revenue for the collection of taxes, increases, and penalties, there shall be added thereto a penalty of five percent of the amount of the tax, but not less than five dollars.

Notwithstanding the foregoing, the aggregate of penalties imposed under this chapter for failure to file a return, late payment of any tax, increase, or penalty, or issuance of a warrant shall not exceed twenty-five percent of the tax due, or seven dollars, whichever is greater.

Sec. 36. 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) For the purposes of this section:

(a) A person is engaged in wholesale business activities "within this state" only if that person:

(i) Owns or leases real property within this state;

(ii) Regularly maintains a stock of tangible personal property in this state for sale in the ordinary course of business;

(iii) Has employees or other representatives who are not independent contractors engaging in business activities within this state; or

(iv) Is a corporation which is incorporated under the laws of this state.

(b) The term "independent contractor" means:

(i) A commission agent, broker, or other independent contractor who is engaged in selling, or soliciting orders for the sale of, tangible personal property, who holds himself or herself out as such in the regular course of business activities, and who is an independent contractor for federal income tax purposes; or

(ii) Any person who is engaged:

(A) In the trade or business of selling, or soliciting the sale of, consumer products to any buyer on a buy-sell basis or a deposit-commission basis for resale, by the buyer or any other person, in the home or otherwise than in a permanent retail establishment, or in the trade or business of selling, or soliciting the sale of, consumer products in the home or otherwise than in a permanent retail establishment;

(B) Substantially all the remuneration, whether or not paid in cash, for the performance of services described in subparagraph (ii)(A) of this subsection is directly related to sales or other output, including the performance of services, rather than the number of hours worked; and

(C) The services performed by the person are performed pursuant to a written contract between such person and the person for whom the services are performed and such contract

provides that the person will not be treated as an employee with respect to such purposes for federal tax purposes.

(c) A person shall not be considered to be engaged in business "within this state" merely by reason of the solicitation in this state by an independent contractor who is subject to a tax under this chapter of orders for sales to or on behalf of a customer of such person, if the orders are sent outside this state for approval or rejection and, if approved, are filled by shipment or delivery from a point outside this state.

(3) 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. 37. There is added to chapter 82.04 RCW a new section to read as follows:

For the purposes of RCW 82.04.250:

(1) A person is engaged in retail business activities "within this state" only if that person:

(a) Owns or leases real property within this state;

(b) Regularly maintains a stock of tangible personal property in this state for sale in the ordinary course of business;

(c) Has employees or other representatives who are not independent contractors engaging in business activities within this state; or

(d) Is a corporation which is incorporated under the laws of this state.

(2) As used in this section, the term "independent contractor" means:

(a) A commission agent, broker, or other independent contractor who is engaged in selling, or soliciting orders for the sale of, tangible personal property, who holds himself or herself out as such in the regular course of business activities, and who is an independent contractor for federal income tax purposes; or

(b) Any person who is engaged:

(i) In the trade or business of selling, or soliciting the sale of, consumer products to any buyer on a buy-sell basis or a deposit-commission basis for resale, by the buyer or any other person, in the home or otherwise than in a permanent retail establishment, or in the trade or business of selling, or soliciting the sale of, consumer products in the home or otherwise than in a permanent retail establishment;

(ii) Substantially all the remuneration, whether or not paid in cash, for the performance of services described in subparagraph (b)(i) of this subsection is directly related to sales or other output, including the performance of services, rather than the number of hours worked; and

(iii) The services performed by the person are performed pursuant to a written contract between such person and the person for whom the services are performed and such contract provides that the person will not be treated as an employee with respect to such purposes for federal tax purposes.

(3) A person shall not be considered to be engaged in business "within this state" merely by reason of the solicitation in this state by an independent contractor who is subject to a tax under this chapter of orders for sales to or on behalf of a customer of such person, if the orders are sent outside this state for approval or rejection and, if approved, are filled by shipment or delivery from a point outside this state.

NEW SECTION. Sec. 38. Nothing in sections 36 and 37 of this act may be construed as implying that the mere solicitation of orders by independent contractors already constitutes engaging in business within the state, nor that it was the intent of the legislature that activities of distinct economic entities, such as retailers, wholesalers, and independent contractors, be imputed to an out-of-state business for the purpose of determining whether it was engaged in business within the state.

Sec. 39. Section 6, chapter 196, Laws of 1979 ex. sess. as amended by section 80, chapter 37, Laws of 1980 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. 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; ((and))

(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.

NEW SECTION. Sec. 40. There is added to chapter 82.04 RCW a new section to read as follows:

The provisions of this chapter shall not apply to grants received from the state or the United States government by municipal corporations or political subdivisions of the state of Washington.

NEW SECTION. Sec. 41. There is added to chapter 82.04 RCW a new section to read as follows:

This chapter shall not apply to any county, city, town, school district, or fire district activity, regardless of how financed, other than a utility or enterprise activity as defined by the state auditor pursuant to RCW 35.33.111 and 36.40.220 and upon which the tax imposed pursuant to this chapter had previously applied. Nothing contained in this section shall limit the authority of the legislature to authorize the imposition of such tax prospectively upon such activities as the legislature shall specifically designate.

NEW SECTION. Sec. 42. There is added to chapter 82.08 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 shall not apply to the lease of irrigation equipment by owners of real property to others for use in conducting farming operations on land owned by the lessor if the lessor has paid the tax imposed by this chapter at the time of purchase of the irrigation equipment.

NEW SECTION. Sec. 43. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply to the use of irrigation equipment leased by owners of real property to others for use in conducting farming operations on land owned by the lessor if the lessor has paid the tax imposed by RCW 82.08.020 at the time of acquisition of the irrigation equipment.

Sec. 44. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 65 of this 1983 act and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and five-tenths percent of the selling price (~~PROVIDED: That such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price. PROVIDED FURTHER: That such tax shall be levied and collected on each retail sale of telephone services, as defined in section 48 of this 1983 act, in all counties in an amount equal to six and five-tenths percent of the selling price.~~).

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 45. Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4 of this 1983 act and RCW 82.04.2901 are each amended to read as follows:

Until and including the thirtieth day of June, 1985, there is levied and shall be collected from every person, other than persons taxed under RCW 82.04.... (section 3, chapter 9, Laws of 1983 as now or hereafter amended), for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW 82.04.250, an additional tax equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under the provisions of RCW 82.04.250 (~~PROVIDED: That such additional tax shall be levied and collected from such persons making sales at retail in border counties in an amount equal to fifteen percent multiplied by the tax payable under the provisions of RCW 82.04.250.~~).

To facilitate collection of this additional tax, 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.

NEW SECTION. Sec. 46. There is added to chapter 84.36 RCW a new section to read as follows:

The real and personal property of a nonprofit organization used in providing nonpermanent shelter to indigent homeless persons is exempt from taxation if the charge, if any, for the shelter does not exceed the actual cost of operating and maintaining the shelter facility. This exemption is subject to the administrative provisions contained in RCW 84.36.800 through 84.36.865.

Sec. 47. Section 6, chapter 40, Laws of 1973 2nd ex. sess. as amended by section 3, chapter 141, Laws of 1981 and RCW 84.36.800 are each amended to read as follows:

As used in RCW 84.36.020, 84.36.030, 84.36.040, 84.36.050, 84.36.060, 84.36.037, and 84.36.800 through 84.36.865:

(1) "Church purposes" means the use of real and personal property owned by a nonprofit religious organization for religious worship or related administrative, educational, eleemosynary, and social activities. This definition is to be broadly construed;

(2) "Convent" means a house or set of buildings occupied by a community of clergymen or nuns devoted to religious life under a superior;

(3) "Hospital" means any portion of a hospital building, or other buildings in connection therewith, used as a residence for persons engaged or employed in the operation of a hospital, or operated as a portion of the hospital unit;

(4) "Nonprofit" means an organization, association or corporation no part of the income of which is paid directly or indirectly to its members, stockholders, officers, directors or trustees except in the form of services rendered by the organization, association, or corporation in accordance with its purposes and bylaws and the salary or compensation paid to officers of such organization, association or corporation is for actual services rendered and compares to the salary or compensation of like positions within the public services of the state;

(5) "Parsonage" means a residence occupied by a clergyman who is designated for a particular congregation and who holds regular services therefor;

(6) "School or college" means any nonprofit organization, association, or corporation established and operated for general educational purposes, or to provide cultural or art education programs as defined in RCW 82.04.4328.

NEW SECTION. Sec. 48. There is added to chapter 82.04 RCW a new section to read as follows:

(1) "Competitive telephone service" means the providing by any person of telecommunications equipment or apparatus, or service related to that equipment or apparatus such as repair or maintenance service, if the equipment or apparatus is of a type which can be provided by persons that are not subject to regulation as telephone companies under Title 80 RCW and for which a separate charge is made.

(2) "Network telephone service" means the providing by any person of access to a local telephone network, local telephone network switching service, toll service, or coin telephone services, or the providing of telephonic, video, data, or similar communication or transmission

for hire, via a local telephone network, toll line or channel, cable, microwave, or similar communication or transmission system. "Network telephone service" includes interstate service, including toll service, originating from or received on telecommunications equipment or apparatus in this state if the charge for the service is billed to a person in this state. "Network telephone service" does not include the providing of competitive telephone service, the providing of cable television service, nor the providing of broadcast services by radio or television stations.

(3) "Telephone service" means competitive telephone service or network telephone service, or both, as defined in subsections (1) and (2) of this section.

(4) "Telephone business" means the business of providing network telephone service, as defined in subsection (2) of this section. It includes cooperative or farmer line telephone companies or associations operating an exchange.

Sec. 49. Section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 144, Laws of 1981 and RCW 82.04.050 are each amended to read as follows:

(1) "Sale at retail" or "retail sale" means every sale of tangible personal property (including articles produced, fabricated, or imprinted) to all persons irrespective of the nature of their business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than a sale to a person who (a) purchases for the purpose of resale as tangible personal property in the regular course of business without intervening use by such person, or (b) installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property of or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property without intervening use by such person, or (c) purchases for the purpose of consuming the property purchased in producing for sale a new article of tangible personal property or substance, of which such property becomes an ingredient or component or is a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale, or (d) purchases for the purpose of providing the property to consumers as part of competitive telephone service, as defined in (~~RCW 82.16.010~~) section 48 of this 1983 act. The term shall include every sale of tangible personal property which is used or consumed or to be used or consumed in the performance of any activity classified as a "sale at retail" or "retail sale" even though such property is resold or utilized as provided in (a), (b), (c), or (d) above following such use. The term also means every sale of tangible personal property to persons engaged in any business which is taxable under RCW 82.04.280, subsections (2) and (7) and RCW 82.04.290.

(2) The term "sale at retail" or "retail sale" shall include the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following: (a) The installing, repairing, cleaning, altering, imprinting, or improving of tangible personal property of or for consumers, including charges made for the mere use of facilities in respect thereto, but excluding charges made for the use of coin operated laundry facilities when such facilities are situated in an apartment house, hotel, motel, rooming house, trailer camp or tourist camp for the exclusive use of the tenants thereof, and also excluding sales of laundry service to members by nonprofit associations composed exclusively of nonprofit hospitals, and excluding services rendered in respect to live animals, birds and insects; (b) the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and shall also include the sale of services or charges made for the clearing of land and the moving of earth excepting the mere leveling of land used in commercial farming or agriculture; (c) the sale of or charge made for labor and services rendered in respect to the cleaning, fumigating, razing or moving of existing buildings or structures, but shall not include the charge made for janitorial services; and for purposes of this section the term "janitorial services" shall mean those cleaning and caretaking services ordinarily performed by commercial janitor service businesses including, but not limited to, wall and window washing, floor cleaning and waxing, and the cleaning in place of rugs, drapes and upholstery. The term "janitorial services" does not include painting, papering, repairing, furnace or septic tank cleaning, snow removal or sandblasting; (d) the sale of or charge made for labor and services rendered in respect to automobile towing and similar automotive transportation services, but not in respect to those required to report and pay taxes under chapter 82.16 RCW; (e) the sale of and charge made for the furnishing of lodging and all other services by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same; (f) the sale of or charge made for tangible personal property, labor and services to persons taxable under (a), (b), (c), (d), and (e) above when such sales or charges are for property, labor and services which are used or consumed in whole or in part by such persons in the performance of any activity defined as a "sale at retail" or "retail sale" even

though such property, labor and services may be resold after such use or consumption. Nothing contained in this paragraph shall be construed to modify the first paragraph of this section and nothing contained in the first paragraph of this section shall be construed to modify this paragraph.

(3) The term "sale at retail" or "retail sale" shall include the sale of or charge made for personal business or professional services including amounts designated as interest, rents, fees, admission, and other service emoluments however designated, received by persons engaging in the following business activities((:)): (a) Amusement and recreation businesses including but not limited to golf, pool, billiards, skating, bowling, ski lifts and tows and others; (b) abstract, title insurance and escrow businesses; (c) credit bureau businesses; (d) automobile parking and storage garage businesses.

(4) The term shall also include the renting or leasing of tangible personal property to consumers.

(5) The term shall also include the providing of ((competitive)) telephone service, as defined in ((RCW 82.16.010)) section 48 of this 1983 act, to consumers.

(6) The term shall not include the sale of or charge made for labor and services rendered in respect to the building, repairing, or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind, nor shall it include sales of feed, seed, fertilizer, and spray materials to persons for the purpose of producing for sale any agricultural product whatsoever, including milk, eggs, wool, fur, meat, honey, or other substances obtained from animals, birds, or insects but only when such production and subsequent sale are exempt from tax under RCW 82.04.330, nor shall it include sales of chemical sprays or washes to persons for the purpose of post-harvest treatment of fruit for the prevention of scald, fungus, mold, or decay.

(7) The term shall not include the sale of or charge made for labor and services rendered in respect to the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing, or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation. Nor shall the term include the sale of services or charges made for the clearing of land and the moving of earth of or for the United States, any instrumentality thereof, or a county or city housing authority.

Sec. 50. Section 82.04.060, chapter 15, Laws of 1961 and RCW 82.04.060 are each amended to read as follows:

"Sale at wholesale" or "wholesale sale" means any sale of tangible personal property, or any sale of telephone service as defined in section 48 of this 1983 act, which is not a sale at retail and means any charge made for labor and services rendered for persons who are not consumers, in respect to real or personal property, if such charge is expressly defined as a retail sale by RCW 82.04.050 when rendered to or for consumers: PROVIDED, That the term "real or personal property" as used in this section shall not include any natural products named in RCW 82.04.100.

Sec. 51. Section 82.04.190, chapter 15, Laws of 1961 as last amended by section 2, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.190 are each amended to read as follows:

"Consumer" means the following:

(1) Any person who purchases, acquires, owns, holds, or uses any article of tangible personal property irrespective of the nature of ((his)) the person's business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than for the purpose (a) of resale as tangible personal property in the regular course of business or (b) of incorporating such property as an ingredient or component of real or personal property when installing, repairing, cleaning, altering, imprinting, improving, constructing, or decorating such real or personal property of or for consumers or (c) of consuming such property in producing for sale a new article of tangible personal property or a new substance, of which such property becomes an ingredient or component or as a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale;

(2) Any person engaged in any business activity taxable under RCW 82.04.290 and any person who purchases, acquires, or uses any telephone service as defined in section 48 of this 1983 act, other than for resale in the regular course of business;

(3) Any person engaged in the business of contracting for the building, repairing or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state of Washington or by the United States and which

is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind as defined in RCW 82.04.280, in respect to tangible personal property when such person incorporates such property as an ingredient or component of such publicly owned street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle by installing, placing or spreading the property in or upon the right of way of such street, place, road, highway, easement, bridge, tunnel, or trestle or in or upon the site of such mass public transportation terminal or parking facility:

(4) Any person who is an owner, lessee or has the right of possession to or an easement in real property which is being constructed, repaired, decorated, improved, or otherwise altered by a person engaged in business, excluding only (a) municipal corporations or political subdivisions of the state in respect to labor and services rendered to their real property which is used or held for public road purposes, and (b) the United States, instrumentalities thereof, and county and city housing authorities created pursuant to chapter 35.82 RCW in respect to labor and services rendered to their real property. Nothing contained in this or any other subsection of this definition shall be construed to modify any other definition of "consumer";

(5) Any person who is an owner, lessee, or has the right of possession to personal property which is being constructed, repaired, improved, cleaned, imprinted, or otherwise altered by a person engaged in business;

(6) Any person engaged in the business of constructing, repairing, decorating, or improving new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation. Any such person shall be a consumer within the meaning of this subsection in respect to tangible personal property incorporated into, installed in, or attached to such building or other structure by such person.

Sec. 52. Section 82.04.460, chapter 15, Laws of 1961 as amended by section 9, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.460 are each amended to read as follows:

(1) Any person rendering services taxable under RCW 82.04.290 and maintaining places of business both within and without this state which contribute to the rendition of such services shall, for the purpose of computing tax liability under RCW 82.04.290, apportion to this state that portion of his gross income which is derived from services rendered within this state. Where such apportionment cannot be accurately made by separate accounting methods, the taxpayer shall apportion to this state that proportion of his total income which the cost of doing business within the state bears to the total cost of doing business both within and without the state.

(2) Notwithstanding the provision of subsection (1) of this section, persons doing business both within and without the state who receive gross income from service charges, as defined in RCW 63.14.010(8) (relating to amounts charged for granting the right or privilege to make deferred or installment payments) or who receive gross income from engaging in business as financial institutions within the scope of chapter 82.14A RCW (relating to city taxes on financial institutions) shall apportion or allocate gross income taxable under RCW 82.04.290 to this state pursuant to rules promulgated by the department consistent with uniform rules for apportionment or allocation developed by the states.

(3) The department shall by rule provide a method or methods of apportioning or allocating gross income derived from sales of telephone services taxed under this chapter, if the gross proceeds of sales subject to tax under this chapter do not fairly represent the extent of the taxpayer's income attributable to this state. The rules shall be, so far as feasible, consistent with the methods of apportionment contained in this section and shall require the consideration of those facts, circumstances, and apportionment factors as will result in an equitable and constitutionally permissible division of the services.

Sec. 53. Section 82.04.470, chapter 15, Laws of 1961 as amended by section 43, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.470 are each amended to read as follows:

Unless a seller has taken from the purchaser a resale certificate signed by, and bearing the name and address and registration number of the purchaser to the effect that the property or service was purchased for resale, or unless the nature of the transaction is clearly shown as a sale at wholesale by the books and records of the taxpayer in such other manner as the department of revenue shall by regulation provide, the burden of proving that a sale of tangible personal property, or of telephone service as defined in section 48 of this 1983 act, was not a sale at retail shall be upon the person who made it.

NEW SECTION. Sec. 54. There is added to chapter 82.08 RCW a new section to read as follows:

(1) The tax levied by RCW 82.08.020 shall not apply to sales of:

(a) Network telephone service, other than toll service, to residential customers.

(b) Network telephone service which is paid for by inserting coins in coin-operated telephones.

(2) As used in this section:

(a) "Network telephone service" has the meaning given in section 48 of this act.



- (b) "Residential customer" means an individual subscribing to a residential class of telephone service.
- (c) "Toll service" does not include customer access line charges for access to a toll calling network.

Sec. 55. Section 3, chapter 94, Laws of 1970 ex. sess. as last amended by section 1, chapter 211, Laws of 1982 and RCW 82.14.020 are each amended to read as follows:

For purposes of this chapter:

(1) A retail sale consisting solely of the sale of tangible personal property shall be deemed to have occurred at the retail outlet at or from which delivery is made to the consumer;

(2) A retail sale consisting essentially of the performance of personal business or professional services shall be deemed to have occurred at the place at which such services were primarily performed;

(3) A retail sale consisting of the rental of tangible personal property shall be deemed to have occurred (a) in the case of a rental involving periodic rental payments, at the primary place of use by the lessee during the period covered by each payment, or (b) in all other cases, at the place of first use by the lessee;

(4) A retail sale within the scope of the second paragraph of RCW 82.04.050, and a retail sale of taxable personal property to be installed by the seller shall be deemed to have occurred at the place where the labor and services involved were primarily performed;

(5) A retail sale consisting of the providing to a consumer of (~~competitive~~) telephone service, as defined in (~~RCW 82.16.010~~) section 48 of this 1983 act, other than a sale of tangible personal property under subsection (1) of this section or a rental of tangible personal property under subsection (3) of this section, shall be deemed to have occurred at the situs of the (~~primary~~) telephone or other instrument through which the (~~competitive~~) telephone service is rendered;

(6) "City" means a city or town;

(7) The meaning ascribed to words and phrases in chapters 82.04, 82.08 and 82.12 RCW, as now or hereafter amended, insofar as applicable, shall have full force and effect with respect to taxes imposed under authority of this chapter;

(8) "Taxable event" shall mean any retail sale, or any use of an article of tangible personal property, upon which a state tax is imposed pursuant to chapter 82.08 or 82.12 RCW, as they now exist or may hereafter be amended: PROVIDED, HOWEVER, That the term shall not include a retail sale taxable pursuant to RCW 82.08.150, as now or hereafter amended;

(9) "Treasurer or other legal depository" shall mean the treasurer or legal depository of a county or city.

Sec. 56. Section 82.16.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1982 2nd ex. sess and RCW 82.16.010 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

(1) "Railroad business" means the business of operating any railroad, by whatever power operated, for public use in the conveyance of persons or property for hire. It shall not, however, include any business herein defined as an urban transportation business.

(2) "Express business" means the business of carrying property for public hire on the line of any common carrier operated in this state, when such common carrier is not owned or leased by the person engaging in such business.

(3) "Railroad car business" means the business of renting, leasing or operating stock cars, furniture cars, refrigerator cars, fruit cars, poultry cars, tank cars, sleeping cars, parlor cars, buffet cars, tourist cars, or any other kinds of cars used for transportation of property or persons upon the line of any railroad operated in this state when such railroad is not owned or leased by the person engaging in such business.

(4) "Water distribution business" means the business of operating a plant or system for the distribution of water for hire or sale.

(5) "Light and power business" means the business of operating a plant or system for the generation, production or distribution of electrical energy for hire or sale.

(6) (~~"Telephone business" means the business of providing access to a local telephone network, local telephone network switching service, toll service, or coin telephone services, or providing telephonic, video, data, or similar communication or transmission for hire, via a local telephone network, toll line or channel, or similar communication or transmission system. It includes cooperative or farmer line telephone companies or associations operating an exchange. "Telephone business" does not include the providing of competitive telephone service, nor the providing of cable television service.~~)

(~~7~~) "Telegraph business" means the business of affording telegraphic communication for hire.

(~~(8)~~) (7) "Gas distribution business" means the business of operating a plant or system for the production or distribution for hire or sale of gas, whether manufactured or natural.

(~~(9)~~) (8) "Motor transportation business" means the business (except urban transportation business) of operating any motor propelled vehicle by which persons or property of others are conveyed for hire, and includes, but is not limited to, the operation of any motor propelled vehicle as an auto transportation company (except urban transportation business), common

carrier or contract carrier as defined by RCW 81.68.010 and 81.80.010: PROVIDED, That "motor transportation business" shall not mean or include the transportation of logs or other forest products exclusively upon private roads or private highways.

~~((+H))~~ (9) "Urban transportation business" means the business of operating any vehicle for public use in the conveyance of persons or property for hire, insofar as (a) operating entirely within the corporate limits of any city or town, or within five miles of the corporate limits thereof, or (b) operating entirely within and between cities and towns whose corporate limits are not more than five miles apart or within five miles of the corporate limits of either thereof. Included herein, but without limiting the scope hereof, is the business of operating passenger vehicles of every type and also the business of operating cartage, pickup, or delivery services, including in such services the collection and distribution of property arriving from or destined to a point within or without the state, whether or not such collection or distribution be made by the person performing a local or interstate line-haul of such property.

~~((+H))~~ (10) "Public service business" means any of the businesses defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), and (9) ~~(and (+H))~~ or any business subject to control by the state, or having the powers of eminent domain and the duties incident thereto, or any business hereafter declared by the legislature to be of a public service nature, except telephone business as defined in section 48 of this 1983 act. It includes, among others, without limiting the scope hereof: Airplane transportation, boom, dock, ferry, log patrol, pipe line, warehouse, toll bridge, toll logging road, water transportation and wharf businesses.

~~((+2))~~ (11) "Tugboat business" means the business of operating tugboats, towboats, wharf boats or similar vessels in the towing or pushing of vessels, barges or rafts for hire.

~~((+3))~~ (12) "Gross income" means the value proceeding or accruing from the performance of the particular public service or transportation business involved, including operations incidental thereto, but without any deduction on account of the cost of the commodity furnished or sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses: PROVIDED, That gross income of a light and power business means those amounts or value accruing to a taxpayer from the last distribution of electrical energy which is a taxable event within this state.

~~((+4))~~ (13) The meaning attributed, in chapter 82.04 RCW, to the term "tax year," "person," "value proceeding or accruing," "business," "engaging in business," "in this state," "within this state," "cash discount" and "successor" shall apply equally in the provisions of this chapter.

~~((+5) "Competitive telephone service" means the providing by any person of telephone equipment, apparatus, or service, other than toll service, which is of a type which can be provided by persons that are not subject to regulation as telephone companies under Title 80 RCW and for which a separate charge is made:))~~

Sec. 57. Section 6, chapter 134, Laws of 1972 ex. sess. as last amended by section 7, chapter 99, Laws of 1983 and RCW 35.21.710 are each amended to read as follows:

Any city which imposes a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales, shall impose such tax at a single uniform rate upon all such business activities. The taxing authority granted to cities for taxes upon business activities measured by gross receipts or gross income from sales shall not exceed a rate of .0020; except that any city with an adopted ordinance at a higher rate, as of January 1, 1982 shall be limited to a maximum increase of ten percent of the January 1982 rate, not to exceed an annual incremental increase of two percent of current rate: PROVIDED, That any adopted ordinance which classifies according to different types of business or services shall be subject to both the ten percent and the two percent annual incremental increase limitation on each tax rate: PROVIDED FURTHER, That all surtaxes on business and occupation classifications in effect as of January 1, 1982, shall expire no later than December 31, 1982, or by expiration date established by local ordinance. Cities which impose a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales shall be required to submit an annual report to the state auditor identifying the rate established and the revenues received from each fee or tax. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW. For purposes of this section, the providing to consumers of competitive telephone service, as defined in ~~(RCW 82.16.010)~~ section 48 of this 1983 act, shall be deemed to be the retail sale of tangible personal property.

Sec. 58. Section 7, chapter 134, Laws of 1972 ex. sess. as amended by section 7, chapter 144, Laws of 1981 and RCW 35A.82.050 are each amended to read as follows:

Any code city which imposes a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales, shall impose such tax at a single uniform rate upon all such business activities. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW. For purposes of this section, the providing to consumers of competitive telephone service, as defined in ~~(RCW 82.16.010)~~ section 48 of this 1983 act, shall be deemed to be the retail sale of tangible personal property.

Sec. 59. Section 8, chapter 144, Laws of 1981 and RCW 35.21.712 are each amended to read as follows:

Any city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82.16.010))~~ section 48 of this 1983 act, which is measured by gross receipts or gross income from the business shall impose the tax at a uniform rate on all persons engaged in the telephone business in the city.

This section does not apply to the providing of competitive telephone service as defined in ~~((RCW 82.16.010))~~ section 48 of this 1983 act.

Sec. 60. Section 9, chapter 144, Laws of 1981 and RCW 35A.82.055 are each amended to read as follows:

Any code city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82.16.010))~~ section 48 of this 1983 act, which is measured by gross receipts or gross income from the business shall impose the tax at a uniform rate on all persons engaged in the telephone business in the code city.

This section does not apply to the providing of competitive telephone service as defined in ~~((RCW 82.16.010))~~ section 48 of this 1983 act.

Sec. 61. Section 10, chapter 144, Laws of 1981 and RCW 35.21.714 are each amended to read as follows:

Any city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82.16.010, which is measured by gross receipts or gross income may impose the fee or tax, if it desires, on one hundred percent of the total gross revenue derived from toll telephone services subject to the fee or tax))~~ section 48 of this 1983 act, shall not impose the fee or tax on network telephone service, as defined in section 48 of this 1983 act, the rates for which are contained in tariffs filed with the federal communications commission.

commission.

Sec. 62. Section 11, chapter 144, Laws of 1981 and RCW 35A.82.060 are each amended to read as follows:

Any code city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82.16.010, which is measured by gross receipts or gross income may impose the fee or tax, if it desires, on one hundred percent of the total gross revenue derived from toll telephone services subject to the fee or tax))~~ section 48 of this 1983 act, shall not impose the fee or tax on network telephone service, as defined in section 48 of this 1983 act, the rates for which are contained in tariffs filed with the federal communications commission.

Sec. 63. Section 2, chapter 49, Laws of 1982 1st ex. sess. and RCW 35.21.860 are each amended to read as follows:

(1) No city or town may impose a franchise fee or any other fee or charge of whatever nature or description upon the light and power, ~~((telephone))~~ or gas distribution businesses, as defined in RCW 82.16.010, or telephone business, as defined in section 48 of this 1983 act, except that (a) a tax authorized by RCW 35.21.865 may be imposed and (b) a fee may be charged to such businesses that recovers actual administrative expenses incurred by a city or town that are directly related to receiving and approving a permit, license, and franchise, to inspecting plans and construction, or to the preparation of a detailed statement pursuant to chapter 43.21C RCW.

(2) Subsection (1) of this section does not prohibit franchise fees imposed on an electrical energy, natural gas, or telephone business, by contract existing on April 20, 1982, with a city or town, for the duration of the contract, but the franchise fees shall be considered taxes for the purposes of the limitations established in RCW 35.21.865 and 35.21.870 to the extent the fees exceed the costs allowable under subsection (1) of this section.

Sec. 64. Section 80.04.270, chapter 14, Laws of 1961 as amended by section 5, chapter 144, Laws of 1981 and RCW 80.04.270 are each amended to read as follows:

Any public service company engaging in the sale of merchandise or appliances or equipment shall keep separate accounts, as prescribed by the commission, of its capital employed in such business and of its revenues therefrom and operating expenses thereof. The capital employed in such business shall not constitute a part of the fair value of said company's property for rate making purposes, nor shall the revenues from or operating expenses of such business constitute a part of the operating revenues and expenses of said company as a public service company. For purposes of this section, the providing of competitive telephone service, as defined in ~~((RCW 82.16.010))~~ section 48 of this 1983 act, shall not constitute the sale of merchandise, appliances, or equipment, unless the commission determines that it would be in the public interest to hold otherwise.

Sec. 65. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 7, Laws of 1983 and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and five-tenths percent of the selling price: PROVIDED, That such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price: PROVIDED FURTHER, That such tax shall be levied and collected on each retail sale of

telephone services, as defined in section 48 of this 1983 act, in all counties in an amount equal to six and five-tenths percent of the selling price.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

NEW SECTION. Sec. 66. There is added to chapter 84.36 a new section to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 67, 68, and 69 of this act.

(1) "Business inventories" means all livestock and means personal property not under lease or rental, acquired or produced solely for the purpose of sale or lease, or for the purpose of consuming such property in producing for sale or lease a new article of tangible personal property of which such property becomes an ingredient or component. Business inventories shall not mean personal property acquired or produced for the purpose of lease or rental if such property was leased or rented at any time during the calendar year immediately preceding the year of assessment and was not thereafter remanufactured, nor shall it include property held within the normal course of business for lease or rental for periods of less than thirty days. "Business inventories" does not include personal property acquired or produced for the purpose of lease or rental, agricultural or horticultural property fully or partially exempt under RCW 84.36.470, or standing timber. "Business inventories" includes inventories of finished goods and work in process. For purposes of this subsection, "remanufacturing" means restoration of property to essentially original condition, but does not mean normal maintenance or repairs.

(2) "Excess inventory value" for a taxing district means that portion of the total assessed value of business inventories in the district which exceeds fifteen percent of the total assessed value of property in the district, as listed for 1984 taxes prior to the allowance of the exemption under section 69 of this act.

(3) "Excess inventory district" means a taxing district with an excess inventory value greater than zero.

NEW SECTION. Sec. 67. There is added to chapter 84.09 RCW a new section to read as follows:

(1) On or before December 15, 1983, each county assessor shall provide the department with a list of the amount of excess inventory value in each taxing district in the county.

(2) From amounts appropriated for this purpose, the department shall calculate the following amounts for each taxing district, distribute fifty-five percent of the amount to the taxing district on or before May 31 of the year for which the calculation is made, and distribute forty-five percent of the amount to the taxing district on or before November 30 of that year:

(a) For 1984, an amount equal to the district's 1984 levy rate multiplied by the district's excess inventory value;

(b) For 1985, an amount equal to seventy-five percent of the amount calculated for the district under subsection (2)(a) of this section;

(c) For 1986, an amount equal to fifty percent of the amount calculated for the district under subsection (2)(a) of this section;

(d) For 1987, an amount equal to twenty-five percent of the amount calculated for the district under subsection (2)(a) of this section.

NEW SECTION. Sec. 68. There is added to chapter 84.52 RCW a new section to read as follows:

The county assessor shall calculate tax levy rates for each excess inventory district as follows:

(1) For 1984 taxes, the assessor shall calculate the levy rate as if the assessed value of property in the district included the excess inventory value of the district;

(2) For 1985, 1986, and 1987 taxes, the assessor shall calculate the levy rate after subtracting the payment to be received by the district under section 67 of this act during that year from the total levy amount.

NEW SECTION. Sec. 69. There is added to chapter 84.36 RCW a new section to read as follows:

Business inventories as defined in section 66 of this act are exempt from property taxation.

Sec. 70. Section 9, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.405 are each amended to read as follows:

The department of revenue shall promulgate such rules and regulations, and prescribe such procedures as it deems necessary to carry out RCW 82.04.442 through 82.04.445, 84.36.470, 84.40.400 (~~and 84.40.405~~), sections 66, 67, 68, and 69 of this 1983 act, and this section.

NEW SECTION. Sec. 71. There is added to chapter 84.55 RCW a new section to read as follows:

As used in this chapter, the term "regular property taxes" has the meaning given it in RCW 84.04.140, and also includes amounts received in lieu of regular property taxes under section 67 of this act.

Sec. 72. Section 82.04.100, chapter 15, Laws of 1961 as amended by section 2, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.100 are each amended to read as follows:

"Extractor" means every person who from his or her own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services, for sale or for commercial or industrial use mines, quarries, takes or produces coal, oil, natural gas, ore, stone, sand, gravel, clay, mineral or other natural resource product, or fells, cuts or takes timber, Christmas trees or other natural products, or takes, cultivates, or raises fish, shellfish, or other sea or inland water foods or products. ~~((H))~~ "Extractor" does not include persons performing under contract the necessary labor or mechanical services for others or persons cultivating or raising fish in or taking fish from fresh water on their own land.

Sec. 73. Section 82.04.330, chapter 15, Laws of 1961 as amended by section 7, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.330 are each amended to read as follows:

This chapter shall not apply to any person in respect to the business of growing or producing for sale upon his own lands or upon land in which he has a present right of possession, any agricultural or horticultural produce or crop, including the raising for sale of any animal, bird, or insect, or the milk, eggs, wool, fur, meat, honey, or other substance obtained therefrom, or in respect to the sale of such products at wholesale by such grower, producer, or raiser thereof. This exemption shall not apply to any person selling such products at retail or using such products as ingredients in a manufacturing process; nor to the sale of any animal or substance obtained therefrom by a person in connection with his business of operating a stockyard or a slaughter or packing house; nor to any person in respect to the business of taking, cultivating, or raising Christmas trees or timber; nor to any association of persons whatever, whether mutual, cooperative or otherwise, engaging in any business activity with respect to which tax liability is imposed under the provisions of this chapter.

This chapter shall also not apply to any person in respect to the business of cultivating or raising fish in or taking fish from fresh water on his or her own land.

NEW SECTION. Sec. 74. There is added to chapter 82.08 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales of feed used for cultivating or raising fish in fresh water on one's own land.

NEW SECTION. Sec. 75. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply in respect to the use of feed for cultivating or raising fish in fresh water on one's own land.

Sec. 76. Section 39, chapter 37, Laws of 1980 as amended by section 1, chapter 5, Laws of 1982 1st ex. sess. and RCW 82.08.0273 are each amended to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales to nonresidents of this state of tangible personal property for use outside this state when the purchaser has applied for and received from the department of revenue a permit certifying (1) that ~~((he))~~ the purchaser is a bona fide resident of a state or possession or Province of Canada other than the state of Washington, (2) that such state, possession, or Province of Canada does not impose a retail sales tax or use tax of three percent or more or, if imposing such a tax, permits Washington residents exemption from otherwise taxable sales by reason of their residence, and (3) that he or she does agree, when requested, to grant the department of revenue access to such records and other forms of verification at his or her place of residence to assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this section must display a nonresident permit as herein provided, and any vendor making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable, shall be renewable annually, and shall be issued by the department of revenue upon payment of a fee of ~~((five))~~ one dollar((s)). The department may in its discretion designate independent agents for the issuance of permits, according to such standards and qualifications as the department may prescribe. Such agents shall pay over and account to the department for all permit fees collected, after deducting as a collection fee the sum of ~~((one dollar))~~ fifty cents for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of perjury. Any person making tax exempt purchases by displaying a permit not his or her own, or a counterfeit permit, with intent to violate the provisions of this section shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit, and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due.

Sec. 77. Section 82.04.450, chapter 15, Laws of 1961 as amended by section 42, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.450 are each amended to read as follows:

(1) The value of products, including byproducts, extracted or manufactured shall be determined by the gross proceeds derived from the sale thereof whether such sale is at wholesale or at retail, to which shall be added all subsidies and bonuses received from the purchaser or from any other person with respect to the extraction, manufacture, or sale of such products or byproducts by the seller, except:

((†)) (a) Where such products, including byproducts, are extracted or manufactured for commercial or industrial use;

((‡)) (b) Where such products, including byproducts, are shipped, transported or transferred out of the state, or to another person, without prior sale or are sold under circumstances such that the gross proceeds from the sale are not indicative of the true value of the subject matter of the sale.

(2) In the above cases the value shall correspond as nearly as possible to the gross proceeds from sales in this state of similar products of like quality and character, and in similar quantities by other taxpayers, plus the amount of subsidies or bonuses ordinarily payable by the purchaser or by any third person with respect to the extraction, manufacture, or sale of such products: PROVIDED, That the value of a product manufactured or produced for purposes of serving as a prototype for the development of a new or improved product shall correspond: (a) To the retail selling price of such new or improved product when first offered for sale; or (b) to the value of materials incorporated into the prototype in cases in which the new or improved product is not offered for sale. The department of revenue shall prescribe uniform and equitable rules for the purpose of ascertaining such values.

Sec. 78. Section 82.12.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 1, Laws of 1975-'76 2nd ex. sess. and RCW 82.12.010 are each amended to read as follows:

For the purposes of this chapter:

(1) "Value of the article used" shall mean the consideration, whether money, credit, rights, or other property, expressed in terms of money, paid or given or contracted to be paid or given by the purchaser to the seller for the article of tangible personal property, the use of which is taxable under this chapter. The term includes, in addition to the consideration paid or given or contracted to be paid or given, the amount of any tariff or duty paid with respect to the importation of the article used. In case the article used is acquired by lease or by gift or is extracted, produced, or manufactured by the person using the same or is sold under conditions wherein the purchase price does not represent the true value thereof, the value of the article used shall be determined as nearly as possible according to the retail selling price at place of use of similar products of like quality and character under such rules and regulations as the department of revenue may prescribe.

In case the articles used are acquired by bailment, the value of the use of the articles so used shall be in an amount representing a reasonable rental for the use of the articles so bailed, determined as nearly as possible according to the value of such use at the places of use of similar products of like quality and character under such rules and regulations as the department of revenue may prescribe: PROVIDED, That in case any such articles of tangible personal property are used in respect to the construction, repairing, decorating, or improving of, and which become or are to become an ingredient or component of, new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing or attaching of any such articles therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, then the value of the use of such articles so used shall be determined according to the retail selling price of such articles, or in the absence of such a selling price, as nearly as possible according to the retail selling price at place of use of similar products of like quality and character or, in the absence of either of these selling price measures, such value may be determined upon a cost basis, in any event under such rules and regulations as the department of revenue may prescribe.

In the case of articles manufactured or produced by the user and used in the manufacture or production of products sold or to be sold to the department of defense of the United States, the value of the articles used shall be determined according to the value of the ingredients of such articles.

In the case of an article manufactured or produced for purposes of serving as a prototype for the development of a new or improved product, the value of the article used shall be determined by: (a) The retail selling price of such new or improved product when first offered for sale; or (b) the value of materials incorporated into the prototype in cases in which the new or improved product is not offered for sale.

(2) "Use," "used," "using," or "put to use" shall have their ordinary meaning, and shall mean the first act within this state by which the taxpayer takes or assumes dominion or control over the article of tangible personal property (as a consumer), and include installation, storage, withdrawal from storage, or any other act preparatory to subsequent actual use or consumption within this state:

(3) "Taxpayer" and "purchaser" include all persons included within the meaning of the word "buyer" and the word "consumer" as defined in chapters 82.04 and 82.08 RCW:

(4) "Retailer" means every person engaged in the business of selling tangible personal property at retail and every person required to collect from purchasers the tax imposed under this chapter:

(5) The meaning ascribed to words and phrases in chapters 82.04 and 82.08 RCW, insofar as applicable, shall have full force and effect with respect to taxes imposed under the provisions of this chapter. "Consumer," in addition to the meaning ascribed to it in chapters 82.04 and 82.08 RCW insofar as applicable, shall also mean any person who distributes or displays, or causes to be distributed or displayed, any article of tangible personal property, except newspapers, the primary purpose of which is to promote the sale of products or services.

NEW SECTION. Sec. 79. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply in respect to the use of computers irrevocably donated to any public or private nonprofit school or college, as defined under chapter 84.36 RCW, in this state. For purposes of this section, "computer" means a data processor that can perform substantial computation, including numerous arithmetic or logic operations, without intervention by a human operator during the run.

NEW SECTION. Sec. 80. There is added to chapter 82.08 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 does not apply to the sale of precious metal bullion or monetized bullion, except for sales for commercial or industrial purposes. 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 chromium, 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. 81. There is added to chapter 82.12 RCW a new section to read as follows:

The tax levied by RCW 82.12.020 does not apply to the sale of precious metal bullion or monetized bullion, except for sales for commercial or industrial purposes. 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 chromium, 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.

Sec. 82. Section 9, chapter 7, Laws of 1983 and RCW 82.\_\_\_\_\_ are each amended to read as follows:

An excise tax is imposed for the privilege of using a vessel (~~for which registration is required under chapter 88.\_\_\_\_ RCW (sections 14 through 22 of this act))~~ upon the waters of this state, except vessels (~~covered by a dealer's registration number under this chapter~~) exempt under section 83 of this 1983 act. The annual amount of the excise tax is ~~((one)) \_\_\_\_\_~~ percent of fair market value, as determined under this chapter, or five dollars, whichever is greater.

The excise tax upon a vessel registered for the first time in this state shall be imposed for a twelve-month period, including the month in which the vessel is registered, unless the director of licensing extends or diminishes vessel registration periods for the purpose of staggered renewal periods under RCW 88.\_\_\_\_ (section 18 ~~((of this act))~~, chapter 7, Laws of 1983). A vessel is registered for the first time in this state when the vessel was not registered in this state for the immediately preceding registration year, or when the vessel was registered in another jurisdiction for the immediately preceding year. The excise tax on vessels required to be registered in this state on the effective date of this section shall be paid by June 30, 1983.

NEW SECTION. Sec. 83. There is added to chapter 82.\_\_\_\_ RCW (sections 9 through 13, chapter 7, Laws of 1983) a new section to read as follows:

The following are exempt from the tax imposed under this chapter:

(1) Vessels exempt from the registration requirements of chapter 88.\_\_\_\_ RCW (sections 14 through 22, chapter 7, Laws of 1983);

(2) Vessels used exclusively for commercial fishing purposes;

(3) Vessels owned and operated by the United States, a state of the United States, or any municipality or political subdivision thereof;

(4) Vessels under sixteen feet in overall length; and

(5) Vessels owned and held for sale by a dealer, but not rented on a regular commercial basis.

Sec. 84. Section 16, chapter 7, Laws of 1983 and RCW 88..... are each amended to read as follows:

Vessel registration is required under this chapter except for the following:

(1) ~~((Vessels owned and operated by the United States, another state, or a political subdivision thereof))~~ Military or public vessels of the United States, except recreational-type public vessels;

(2) ~~Vessels owned ((and operated by this state, or by any municipality or political subdivision thereof))~~ by a state or subdivision thereof, used principally for governmental purposes and clearly identifiable as such;

(3) ~~Vessels owned by a resident of a country other than the United States or Canada if the vessel is not physically located upon the waters of this state for a period of more than ((sixty))~~ forty-five days;

(4) ~~Vessels owned by a resident of another state or a Canadian province if the vessel is registered in accordance with the laws of the state or province in which the owner resides, but only to the extent that a similar exemption or privilege is granted under the laws of that state or province for vessels registered in this state: PROVIDED, That any vessel which is validly registered in another state or a Canadian province and which is physically located in this state for a period of more than sixty days is subject to registration under this chapter;~~

(5) ~~Vessels used as a ship's ((tender or))~~ lifeboat;

(6) ~~Vessels equipped with propulsion machinery of less than ten horse power that:~~

(a) Are owned by the owner of a vessel for which a valid vessel number has been issued;

(b) Display the number of that numbered vessel followed by the suffix "1" in the manner prescribed by the department; and

(c) Are used as a tender for direct transportation between that vessel and the shore and for no other purpose;

(7) Vessels under sixteen feet in overall length ((or whose primary propulsion is human power)) which have no propulsion machinery of any type;

~~((7))~~ (8) Vessels with no propulsion machinery of any type for which the primary mode of propulsion is human power;

(9) Vessels which are temporarily in this state undergoing repair or alteration ((and vessels which are designed and used exclusively for racing));

~~((8))~~ Vessels used exclusively for commercial fishing purposes; and

~~((9))~~ (10) Vessels primarily engaged in commerce which have or are required to have a valid marine document as a vessel of the United States ((and which are primarily engaged in commerce)); and

(11) Vessels primarily engaged in commerce which are owned by a resident of a country other than the United States.

Sec. 85. Section 18, chapter 7, Laws of 1983 and RCW 88..... are each amended to read as follows:

Application for a vessel registration shall be made to the department or its authorized agent in the manner and upon forms prescribed by the department. The application shall state the name and address of each owner of the vessel and such other information as may be required by the department, shall be signed by at least one owner, and shall be accompanied by a vessel registration fee of six dollars per year and the excise tax imposed under chapter 82... RCW (sections 9 through 13 ((of this act)), chapter 7, Laws of 1983). Any fees required for licensing agents under RCW 46.01.140 shall be in addition to the six-dollar annual registration fee.

Upon receipt of the application and the registration fee, the department shall assign a registration number and issue a decal for each vessel. The registration number and decal shall be issued and affixed to the vessel in a manner prescribed by the department consistent with the standard numbering system for vessels set forth in volume 33, part 174, of the code of federal regulations. A valid decal affixed as prescribed shall indicate compliance with the annual registration requirements of this chapter.

The vessel registrations and decals are valid for a period of one year, except that the director of licensing may extend or diminish vessel registration periods, and the decals therefor, for the purpose of staggered renewal periods. For registration periods of more or less than one year, the department may collect prorated annual registration fees and excise taxes based upon the number of months in the registration period. Vessel registrations are renewable every year in a manner prescribed by the department upon payment of the vessel registration fee and excise tax. Upon renewing a vessel registration, the department shall issue a new decal to be affixed as prescribed by the department.

A person acquiring a vessel from a dealer or a vessel already validly registered under this chapter shall, within fifteen days of the acquisition or purchase of the vessel, apply to the department or its authorized agent for transfer of the vessel registration, and the application shall be accompanied by a transfer fee of one dollar.

**NEW SECTION.** Sec. 86. There is added to chapter 88... RCW (sections 14 through 22, chapter 7, Laws of 1983) a new section to read as follows:



(1) The department shall provide for the issuance of vessel certificates of title through the agents appointed under RCW 88.\_\_\_\_ (section 17, chapter 7, Laws of 1983). The fee for a vessel certificate of title is five dollars. Fees for vessel certificates of title shall be deposited in the general fund. The provisions of chapters 46.12 and 46.16 RCW relating to motor vehicle certificates of registration, titles, certificate issuance, ownership transfer, and perfection of security interests, and other provisions which may be applied to vessels subject to this chapter, may be so applied by rule of the department if they are not inconsistent with this chapter.

(2) Whenever a vessel is to be registered for the first time as required by this chapter, application shall be made at the same time for a certificate of title. Any person who purchases or otherwise obtains majority ownership of any vessel subject to the provisions of this chapter shall within fifteen days thereof apply for a new certificate of title which shows the vessel's change of ownership.

(3) Security interests may be released or acted upon as provided by the law under which they arose or were perfected. No new security interest or renewal or extension of an existing security interest is affected except as provided under the terms of this chapter and RCW 46.12.095.

(4) Notice shall be given to the issuing authority by the owner indicated on the certificate of registration within fifteen days of the occurrence of any of the following: Transfer of any part or all of the ownership of a vessel registered under this chapter; any change of address of owner; destruction, loss, abandonment, theft, or recovery of the vessel; or loss or destruction of a valid certificate of registration on the vessel.

Sec. 87, Section 15, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_ are each amended to read as follows:

(1) Except as provided in this chapter, no person may own or operate any vessel on the waters of this state unless the vessel has been registered and displays a registration number and a valid decal in accordance with this chapter.

(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.

NEW SECTION. Sec. 88. There is added to chapter 88.\_\_\_\_ RCW (sections 14 through 22, chapter 7, Laws of 1983) a new section to read as follows:

(1) The operator of a vessel involved in a collision, accident, or other casualty, to the extent the operator can do so without serious danger to the operator's own vessel or persons aboard, shall render all practical and necessary assistance to persons affected by the collision, accident, or casualty to save them from danger caused by the incident. Under no circumstances may the rendering of assistance or other compliance with this section be evidence of the liability of such operator for the collision, accident, or casualty. The operator shall also give his or her name, address, and the identification of the operator's vessel to the commission and any person injured and to the owner of any property damaged. These duties are in addition to any duties otherwise imposed by law.

(2) Any person who complies with subsection (1) of this section or who gratuitously and in good faith renders assistance at the scene of a vessel collision, accident, or other casualty, without objection of the person assisted, shall not be held liable for any civil damages as a result of the rendering of assistance or for any act or omission in providing or arranging salvage, towage, medical treatment, or other assistance, where the assisting person acts as any reasonably prudent person would have acted under the same or similar circumstances.

NEW SECTION. Sec. 89. There is added to chapter 82.\_\_\_\_ RCW (sections 9 through 13, chapter 7, Laws of 1983) a new section to read as follows:

(1) Any county may impose a tax, by ordinance or resolution, upon the privilege of using a vessel taxable under RCW 82.\_\_\_\_ (section 9, chapter 7, Laws of 1983) which is moored or stored in the county, if the population of the unincorporated area of the county together with the population of the cities which are parties to an interlocal agreement under chapter 39.34 RCW equal or exceed two-thirds of the total population of the county: PROVIDED, That such agreement shall take into consideration any marine patrols provided as of the effective date of this section. The annual amount of the tax shall be up to fifty cents per foot of the vessel per calendar year, or part thereof.

(2) The excise tax upon a vessel registered for the first time in this state shall be imposed for a twelve-month period, including the month in which the vessel is registered, unless the director of licensing extends or diminishes vessel registration periods for the purpose of staggered renewal periods under RCW 88.\_\_\_\_ (section 18, chapter 7, Laws of 1983). A vessel is registered for the first time in this state when the vessel was not registered in this state for the immediately preceding registration year, or when the vessel was registered in another jurisdiction for the immediately preceding year.

(3) The tax imposed under this section is due and payable to the department of licensing or its agents at the time of registration of a vessel.

(4) The moneys collected under this section shall be distributed by the county monthly to the parties to the interlocal agreement according to the terms of the agreement. Moneys collected under this section shall be used only for administration and enforcement of boating safety, search and rescue operations concerning boating, and boating patrols.

Sec. 90. Section 22, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_\_ are each amended to read as follows:

(1) A violation of this chapter is a misdemeanor punishable only by a fine not to exceed one hundred dollars per vessel for the first violation. Subsequent violations in the same year are subject to the following fines:

(a) For the second violation, a fine of two hundred dollars per vessel;

(b) For the third and successive violations, a fine of four hundred dollars per vessel.

(2) ~~After subtraction of court costs and administrative collection fees, moneys collected under this section shall be ((used by the jurisdiction collecting the fine exclusively for law enforcement purposes))~~ credited to the current expense fund of the arresting jurisdiction.

(3) All law enforcement officers shall have the authority to enforce this chapter within their respective jurisdictions.

Sec. 91. Section 84.36.080, chapter 15, Laws of 1961 as amended by section 23, chapter 7, Laws of 1983 and RCW 84.36.080 are each amended to read as follows:

All ships and vessels which are exempt from excise tax under subsection ~~((s (8) and (9) of section 16 of this 1983 act))~~ (2) of section 83 of this 1983 act and subsection (10) of RCW 88.---.--- ~~(section 84 of this 1983 act)~~ shall be and are hereby made exempt from all ad valorem taxes, except taxes levied for any state purpose.

NEW SECTION. Sec. 92. There is added to chapter 43.51 RCW a new section to read as follows:

The state parks and recreation commission shall:

(1) Coordinate a state-wide program of boating safety education using to the maximum extent possible existing programs offered by the United States power squadron and the United States coast guard auxiliary;

(2) Adopt rules in accordance with chapter 34.04 RCW, consistent with United States coast guard regulations, standards, and precedents, as needed for the efficient administration and enforcement of this section;

(3) Develop by January 31, 1984, a state-wide inventory of marine state parks and recreational facilities operated by other state and local agencies that are available for marine-related use by persons owning boats in this state;

(4) Enter into agreements aiding the administration of this chapter;

(5) Adopt and administer a casualty and accident reporting program consistent with United States coast guard regulations;

(6) Coordinate with local and state agencies the development of biennial plans and programs for the enhancement of boating safety, safety education, and enforcement of safety rules and laws; allocate money appropriated to the commission for these programs as necessary; and accept and administer any public or private grants or federal funds which are obtained for these purposes under chapter 43.88 RCW; and

(7) Take additional actions necessary to gain acceptance of a program of boating safety for this state under the federal boating safety act of 1971.

Sec. 93. Section 6, chapter 94, Laws of 1970 ex. sess. as last amended by section 10, chapter 4, Laws of 1981 2nd ex. sess. and RCW 82.14.050 are each amended to read as follows:

The counties, metropolitan municipal corporations and cities shall contract, prior to the effective date of a resolution or ordinance imposing a sales and use tax, the administration and collection to the state department of revenue, which shall deduct a percentage amount, as provided by contract, not to exceed ~~((two))~~ one and one-half percent of the taxes collected for administration and collection expenses incurred by the department. The remainder of any portion of any tax authorized by this chapter which is collected by the department of revenue shall be deposited by the state department of revenue in the local sales and use tax account hereby created in the general fund. Moneys in the local sales and use tax account may be spent only for distribution to counties, metropolitan municipal corporations, and cities imposing a sales and use tax. All administrative provisions in chapters 82.03, 82.08, 82.12, and 82.32 RCW, as they now exist or may hereafter be amended, shall, insofar as they are applicable to state sales and use taxes, be applicable to taxes imposed pursuant to this chapter.

Sec. 94. Section 7, chapter 94, Laws of 1970 ex. sess. as last amended by section 11, chapter 4, Laws of 1981 2nd ex. sess. and RCW 82.14.060 are each amended to read as follows:

~~((Bimonthly))~~ Monthly the state treasurer shall make distribution from the local sales and use tax account to the counties, metropolitan municipal corporations and cities the amount of tax collected on behalf of each county, metropolitan municipal corporation or city, less the deduction provided for in RCW 82.14.050. The state treasurer shall make the distribution under this section without appropriation.

In the event that any ordinance or resolution imposes a sales and use tax at a rate in excess of the applicable limits contained herein, such ordinance or resolution shall not be considered void in toto, but only with respect to that portion of the rate which is in excess of the applicable limits contained herein.

Sec. 95. Section 33, chapter 7, Laws of 1983 and RCW 82.32. . . . are each amended to read as follows:

The revenue accrual account is hereby created in the state general fund. At the close of each fiscal biennium, the state treasurer shall transfer the balance in the state general fund, other than amounts reappropriated for the next fiscal biennium, to this account. Moneys in this account may only be spent after appropriation by statute for the purpose of decreasing the unfunded liability of a state retirement system.

NEW SECTION. Sec. 96. There is appropriated to the department of revenue from the general fund for the biennium ending June 30, 1985, the sum of six million two hundred fifteen thousand dollars, or so much thereof as may be necessary, to be distributed under section 67 of this act during the biennium ending June 30, 1985.

NEW SECTION. Sec. 97. The following acts or parts of acts are each repealed:

(1) Section 2, chapter 169, Laws of 1974 ex. sess., section 8, chapter 196, Laws of 1979 ex. sess., section 1, chapter 12, Laws of 1982 2nd ex. sess. and RCW 82.04.442;

(2) Section 4, chapter 169, Laws of 1974 ex. sess., section 8, chapter 291, Laws of 1975 1st ex. sess., section 1, chapter 174, Laws of 1982 and RCW 82.04.443; and

(3) Section 3, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.400.

NEW SECTION. Sec. 98. Section 20, chapter 22, Laws of 1982 1st ex. sess. and RCW 35.21.285 are each repealed.

NEW SECTION. Sec. 99. This act shall not be construed as affecting any existing right acquired or liability or obligation incurred under the sections amended or repealed in this act or under any rule, regulation, or order adopted under those sections, nor as affecting any proceeding instituted under those sections.

NEW SECTION. Sec. 100. 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. 101. (1) 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, 1983, except that:

(a) Sections 82 through 90, and 99 and 100 of this act shall take effect June 30, 1983;

(b) Sections 21, 22, 46, 47, 69, 91, and 97 of this act shall take effect January 1, 1984. Sections 46, 47, 69, 91, and 97 of this act shall be effective for property taxes levied in 1983, and due in 1984, and thereafter;

(c) Sections 1 through 4 of this act shall take effect July 1, 1983, except as provided in subsection (2) of this section; and

(d) Sections 44 and 45 of this act shall take effect as provided in subsection (3) of this section.

(2) The legislature finds that the amendments contained in sections 1 through 4 of this act constitute an integrated and inseparable entity and if any one or more of those sections does not become law, the remaining sections shall not take effect. If sections 1 through 4 of this act do not become law, the governor shall in that event reduce approved allotments under RCW 43.88.110 for the 1983-85 biennium by four percent.

(3) Sections 44 and 45 of this act shall take effect on the day either of the following events occurs, whichever is earlier:

(a) A temporary or permanent injunction or order becomes effective which prohibits in whole or in part the collection of taxes at the rates specified in section 6, chapter 7, Laws of 1983; or

(b) A decision of a court in this state invalidating in whole or in part section 6, chapter 7, Laws of 1983, becomes final.

#### MOTION

On motion of Senator McDermott, the following amendments to the amendment were considered and adopted simultaneously:

On page 32, line 16, after "1985," strike "and thereafter" and insert ("and thereafter")

On page 32, line 21, after "." insert: "Effective June 30, 1987 and thereafter if the payment of any tax is received during the first ten days in July, the amount of such payment shall be credited to, and shall be treated for all purposes as having been collected during the preceding fiscal year."

#### MOTION

Senator Owen moved that the following amendment by Senators Owen and Woody to the amendment be adopted:

On page 24, line 6, after "percent" insert the following:

(a) For timber harvested July 1, 1985, through June 30, 1986, the forest excise tax rate shall be determined by applying fifty percent of the percentage change in the average property tax rate on designated and classified forest land between the fourteen-dollar rate per thousand dollars of assessed value reflected in the department of revenue forest tax report for 1975 and the comparable figure reflected in the department of revenue forest tax report for 1984, to six and one-half percent;

(b) For timber harvested July 1, 1986, through June 30, 1987, the forest excise tax rate shall be determined as in (a) of this subsection except one hundred percent of the percentage change from the fourteen-dollar rate per thousand dollars of assessed value in 1975 when compared to the comparable figure reflected in the department of revenue forest tax report for 1985, shall be applied to six and one-half percent;

(c) For timber harvested July 1, 1987, and each year thereafter, the department of revenue shall adjust the forest excise rate by the percentage change in the average rate per thousand dollars of assessed value on designated and classified forest land for the two prior calendar years as reflected in the department of revenue forest tax report; and

(d) The forest excise tax rate for (a), (b), and (c) of this subsection shall be rounded to the nearest one-tenth of one percent.\*

Debate ensued.

#### MOTION

On motion of Senator Bluechel, Senators Barr, Benitz, Clarke, Craswell, Fuller, Haley, Hayner, Hemstad, Kiskaddon, Lee, McCaslin, Metcalf, Pullen, Quigg, Sellar and von Reichbauer were excused.

Further debate ensued.

Senator Bluechel demanded a roll call and the demand was sustained.

The President Pro Tempore declared the question before the Senate to be the roll call on adoption of the amendment by Senators Owen and Woody to the amendment.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Owen failed and the amendment to the amendment was not adopted by the following vote: Yeas, 16; nays, 16; absent, 1; excused, 16.

Voting yea: Senators Bauer, Bluechel, Deccio, Guess, Hansen, Jones, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Thompson, Warnke, Woody, Zimmerman - 16.

Voting nay: Senators Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hughes, Hurley, McDermott, Rinehart, Shinpoch, Talmadge, Vognild, Williams, Wojahn - 16.

Absent: Senator Rasmussen - 1.

Excused: Senators Barr, Benitz, Clarke, Craswell, Fuller, Haley, Hayner, Hemstad, Kiskaddon, Lee, McCaslin, Metcalf, Pullen, Quigg, Sellar, von Reichbauer - 16.

#### MOTION

On motion of Senator Rinehart, the following amendment to the amendment was adopted on a rising vote:

On page 75, after line 24, insert a new section to read as follows:

\*NEW SECTION. Sec. 99. There is added to chapter 43.06 RCW a new section to read as follows:

Beginning in January, 1984, and in January of every even-numbered year thereafter, the department of revenue shall submit to the legislature prior to the regular session a listing of the amount of reduction for the current and next biennium in the revenues of the state or the revenues of local government collected by the state as a result of tax exemptions. The listing shall include an estimate of the revenue lost from the tax exemption, the purpose of the tax exemption, the persons, organizations, or part of the population which benefit from the tax exemption, and whether or not the tax exemption conflicts with another state program. The listing shall include but not be limited to the following revenue sources:

- (1) Real and personal property tax exemptions under Title 84 RCW;
- (2) Business and occupation tax exemptions, deductions, and credits under chapter 82.04 RCW;
- (3) Retail sales and use tax exemptions under chapters 82.08, 82.12, and 82.14 RCW;
- (4) Public utility tax exemptions and deductions under chapter 82.16 RCW;
- (5) Conveyance tax exemptions under chapter 82.20 RCW;
- (6) Food fish and shellfish tax exemptions under chapter 82.27 RCW;
- (7) Leasehold excise tax exemptions under chapter 82.29A RCW;
- (8) Motor vehicle and special fuel tax exemptions and refunds under chapters 82.36 and 82.38 RCW;
- (9) Aircraft fuel tax exemptions under chapter 82.42 RCW;

(10) Motor vehicle excise tax exclusions under chapter 82.44 RCW; and

(11) Insurance premiums tax exemptions under chapter 48.14 RCW.

The department of revenue shall prepare the listing required by this section with the assistance of any other agencies or departments as may be required.

The department of revenue shall present the listing to the ways and means committees of each house in public hearings.

Beginning in January, 1984, and every four years thereafter the governor is requested to review the report from the department of revenue and may submit recommendations to the legislature with respect to the repeal or modification of any tax exemption. The ways and means committees of each house and the appropriate standing committee of each house shall hold public hearings and take appropriate action on the recommendations submitted by the governor.

As used in this section, "tax exemption" means an exemption, exclusion, or deduction from the base of a tax; a credit against a tax; a deferral of a tax; or a preferential tax rate."

#### MOTION

At 12:50 a.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The Senate was called to order at 1:15 a.m. by President Pro Tempore Goltz.

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENT

#### MOTION

On motion of Senator Owen, the appointment of Dennis C. LeMaster as a member of the Forest Practices Appeals Board was confirmed.

#### APPOINTMENT OF DENNIS C. LEMASTER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 35; absent, 5; excused, 9.

Voting yea: Senators Bauer, Bender, Benitz, Bottiger, Conner, Craswell, Deccio, Fleming, Gaspard, Goltz, Granlund, Hansen, Hemstad, Hughes, Hurley, Lee, McCaslin, McDermott, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vogndil, Warnke, Williams, Wojahn, Woody - 35.

Absent: Senators Bluechel, Guess, Jones, Rasmussen, Zimmerman - 5.

Excused: Senators Barr, Clarke, Fuller, Haley, Hayner, Kiskaddon, Metcalf, Pullen, von Reichbauer - 9.

There being no objection, the Senate resumed consideration of Senate Bill No. 3909 and the pending amendment by Senator McDermott.

#### MOTION

Senator Owen moved the following amendment to the amendment be adopted:

On page 5, beginning on line 6 of the amendment, strike everything after the enacting clause and insert the following:

"Sec. 1. Section 3, chapter 65, Laws of 1970 ex. sess. as amended by section 1, chapter 9, Laws of 1983 and RCW 82.04.255 are each amended to read as follows:

Upon every person engaging within the state as a real estate broker; as to such persons, the amount of the tax with respect to such business shall be equal to the gross income of the business, multiplied by the rate of ~~((two))~~ 1.25 percent ~~((until and including June 30, 1983, and one percent thereafter))~~; PROVIDED, That this tax shall be imposed only if all of the amendments contained in sections 2 through 4 of this 1983 act become law.

The measure of the tax on real estate commissions earned by the real estate broker shall be the gross commission earned by the particular real estate brokerage office including that portion of the commission paid to salesmen or associate brokers in the same office on a particular transaction: PROVIDED, HOWEVER, That where a real estate commission is divided between an originating brokerage office and a cooperating brokerage office on a particular transaction, each brokerage office shall pay the tax only upon their respective shares of said commission: AND PROVIDED FURTHER, That where the brokerage office has paid the tax as provided herein, salesmen or associate brokers within the same brokerage office shall not be required to pay a similar tax upon the same transaction.

Sec. 2. Section 82.04.290, chapter 15, Laws of 1961 as last amended by section 2, chapter 9, Laws of 1983 and RCW 82.04.290 are each amended to read as follows:

Upon every person engaging within this state in any business activity other than or in addition to those enumerated in RCW 82.04.230, 82.04.240, 82.04.250, 82.04.255, 82.04.260, 82.04.270, and 82.04.280; as to such persons the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of ~~((two))~~ 1.25 percent ~~((until and including June 30, 1983, and one percent thereafter))~~; PROVIDED, That this tax shall be

imposed only if all of the amendments contained in sections 1, 3, and 4 of this 1983 act become law. This section includes, among others, and without limiting the scope hereof (whether or not title to materials used in the performance of such business passes to another by accession, confusion or other than by outright sale), persons engaged in the business of rendering any type of service which does not constitute a "sale at retail" or a "sale at wholesale." The value of advertising, demonstration, and promotional supplies and materials furnished to an agent by his principal or supplier to be used for informational, educational and promotional purposes shall not be considered a part of the agent's remuneration or commission and shall not be subject to taxation under this section.

Sec. 3. Section 3, chapter 9, Laws of 1983 and RCW 82.04.... are each amended 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 82.04.220 through 82.04.240, inclusive, and RCW 82.04.260 through 82.04.280, inclusive, an additional tax equal to ((thirty-two)) ten percent multiplied by the tax payable under RCW 82.04.220 through 82.04.240, inclusive, and RCW 82.04.260 through 82.04.280, inclusive; PROVIDED, That this additional tax shall be imposed only if all of the amendments contained in sections 1, 2, and 4 of this 1983 act become law.

(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, or 82.08.0263, as a part of the tax imposed under RCW 82.04.250, an additional tax equal to ((thirty-two)) ten percent multiplied by the tax payable on those activities under RCW 82.04.250; PROVIDED, That this additional tax shall be imposed only if all of the amendments contained in sections 1, 2, and 4 of this 1983 act become law.

(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, ((1983)) 1985.

Sec. 4. Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4, chapter 9, Laws of 1983 and RCW 82.04.2901 are each amended to read as follows:

((From and after the first day of April, 1982;)) Until and including the thirtieth day of June, ((1983)) 1985, there is levied and shall be collected from every person, other than persons taxed under RCW 82.04.... (section 3 ((of this 1983 act)), chapter 9, Laws of 1983 as now or hereafter amended), for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW 82.04.250, an additional tax equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under the provisions of RCW 82.04.250; PROVIDED, That such additional tax shall be levied and collected from such persons making sales at retail in border counties in an amount equal to ((thirty-two)) ten percent multiplied by the tax payable under the provisions of RCW 82.04.250; PROVIDED FURTHER, That the additional tax under this section shall be imposed only if all of the amendments contained in sections 1 through 3 of this 1983 act become law.

To facilitate collection of this additional tax, 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.

Sec. 5. Section 16, chapter 10, Laws of 1982 as last amended by section 1, chapter 13, Laws of 1982 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 ~~((thirty-three one-hundredths))~~ one-eighth of one percent: PROVIDED, That until and including June 30, 1984, the rate of such tax shall be thirty-three one-hundredths of one percent.

(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. 6, Section 31, chapter 35, Laws of 1982 1st ex. sess. as last amended by section 8, chapter 7, Laws of 1983 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), 82.20.010(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 (~~PROVIDED: That the additional tax imposed by RCW 82.44.020(5) shall be continued at the rate of three percent for the period July 1 through September 30, 1983);~~

(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. 7. Section 14.02, chapter 79, Laws of 1947 as last amended by section 1, chapter 10, Laws of 1982 2nd ex. sess. and RCW 48.14.020 are each amended to read as follows:

(1) Subject to other provisions of this chapter, each authorized insurer except title insurers shall on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax on premiums. Except as provided in subsection (2) of this section, such tax shall be in the amount of two and sixteen one-hundredths percent of all premiums, excluding amounts returned to or the amount of reductions in premiums allowed to holders of industrial life policies for payment of premiums directly to an office of the insurer, collected or received by the insurer during the preceding calendar year in the case of foreign and alien insurers, and in the amount of one and sixteen one-hundredths percent of all such premiums in the case of domestic insurers, for direct insurances, other than ocean marine and foreign trade insurances, after deducting premiums paid to policyholders as returned premiums, upon risks or property resident, situated, or to be performed in this state. For the purposes of this section the consideration received by an insurer for the granting of an annuity shall not be deemed to be a premium.

(2) In the case of insurers which require the payment by their policyholders at the inception of their policies of the entire premium thereon in the form of premiums or premium deposits which are the same in amount, based on the character of the risks, regardless of the length of term for which such policies are written, such tax shall be in the amount of two and sixteen one-hundredths percent of the gross amount of such premiums and premium deposits upon policies on risks resident, located, or to be performed in this state, in force as of the thirty-first day of December next preceding, less the unused or unabsorbed portion of such premiums and premium deposits computed at the average rate thereof actually paid or credited to policyholders or applied in part payment of any renewal premiums or premium deposits on one-year policies expiring during such year.

(3) (~~From and after the first day of April, 1982, until and including the thirtieth day of June, 1983;~~) An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the taxes payable under subsections (1) (~~and~~), (2), and (4) of this section. All revenues from this additional tax shall be deposited in the state general fund.

(4) Each authorized insurer shall with respect to all ocean marine and foreign trade insurance contracts written within this state during the preceding calendar year, on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax of ninety-one one-hundredths of one percent on its gross underwriting profit. Such gross underwriting profit shall be ascertained by deducting from the net premiums (i.e., gross premiums less all return premiums and premiums for reinsurance) on such ocean marine and foreign trade insurance contracts the net losses paid (i.e., gross losses paid less salvage and recoveries on reinsurance ceded) during such calendar year under such contracts. In the case of insurers issuing participating contracts, such gross underwriting profit shall not include, for computation of the tax prescribed by this subsection, the amounts refunded, or paid as participation dividends, by such insurers to the holders of such contracts.

(5) The state does hereby preempt the field of imposing excise or privilege taxes upon insurers or their agents, other than title insurers, and no county, city, town or other municipal subdivision shall have the right to impose any such taxes upon such insurers or their agents.

(6) If an authorized insurer collects or receives any such premiums on account of policies in force in this state which were originally issued by another insurer and which other insurer is not authorized to transact insurance in this state on its own account, such collecting insurer shall be liable for and shall pay the tax on such premiums.

(7) This section shall be effective as to and shall govern the payment of all taxes due for calendar year 1982 and thereafter.

Sec. 8. Section 2, chapter 278, Laws of 1957 as last amended by section 18, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.020 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district a tax for the act or privilege of engaging within this state in the business of operating works, plants or facilities for the generation, distribution and sale of electric energy. With respect to each such district, except with respect to thermal electric generating facilities taxed under RCW 54.28.025, such tax shall be the sum of the following amounts: (a) Two percent of the gross revenues derived by the district from the sale of all electric energy which it distributes to consumers who are served by a distribution system owned by the district; (b) five percent of the first four mills per kilowatt-hour of wholesale value of self-generated energy distributed to consumers by a district; (c) five percent of the first four mills per kilowatt-hour of revenue obtained by the district from the sale of self-generated energy for resale.



(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 (~~(for April, 1982, through June, 1983)~~).

Sec. 9. Section 6, chapter 366, Laws of 1977 ex. sess. as amended by section 19, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.025 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district operating a thermal electric generating facility, as defined in RCW 54.28.010 as now or hereafter amended, having a design capacity of two hundred fifty thousand kilowatts or more, located on a federal reservation, which is placed in operation after September 21, 1977, a tax for the act or privilege of engaging within the state in the business of generating electricity for use or sale, equal to one and one-half percent of wholesale value of energy produced for use or sale, except energy used in the operation of component parts of the power plant and associated transmission facilities under control of the person operating the power plant.

(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 (~~(for April, 1982, through June, 1983)~~).

Sec. 10. Section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 23, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.210 are each amended to read as follows:

(1) There is hereby imposed upon all wines sold to wine wholesalers and the Washington state liquor control board, within the state a tax at the rate of twenty and one-fourth cents per liter: PROVIDED, HOWEVER, That wine sold or shipped in bulk from one winery to another winery shall not be subject to such tax. The tax provided for in this section may, if so prescribed by the board, be collected by means of stamps to be furnished by the board, or by direct payments based on wine purchased by wine wholesalers. Every person purchasing wine under the provisions of this section shall on or before the twentieth day of each month report to the board all purchases during the preceding calendar month in such manner and upon such forms as may be prescribed by the board, and with such report shall pay the tax due from the purchases covered by such report unless the same has previously been paid. Any such purchaser of wine whose applicable tax payment is not postmarked by the twentieth day following the month of purchase will be assessed a penalty at the rate of two percent a month or fraction thereof. If this tax be collected by means of stamps, every such person shall procure from the board revenue stamps representing the tax in such form as the board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser. If the tax is not collected by means of stamps, the board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may forthwith suspend or cancel the license until all taxes are paid.

(2) (~~(From and after the first day of May, 1982, until and including the thirtieth day of June, 1983)~~) 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. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

Sec. 11. Section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 24, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.290 are each amended to read as follows:

(1) Any brewer or beer wholesaler licensed under this title may sell and deliver beer to holders of authorized licenses direct, but to no other person, other than the board; and every such brewer or beer wholesaler shall report all sales to the board monthly, pursuant to the regulations, and shall pay to the board as an added tax for the privilege of manufacturing and selling the beer within the state a tax of two dollars and sixty cents per barrel of thirty-one gallons on sales to licensees within the state and on sales to licensees within the state of bottled and canned beer shall pay a tax computed in gallons at the rate of two dollars and sixty cents per barrel of thirty-one gallons. Any brewer or beer wholesaler whose applicable tax payment is not postmarked by the twentieth day following the month of sale will be assessed a penalty at the rate of two percent per month or fraction thereof. Each such brewer or wholesaler shall procure from the board revenue stamps representing such tax in form prescribed by the board and shall affix the same to the barrel or package in such manner and in such denominations as required by the board, and shall cancel the same prior to commencing delivery from his place of business or warehouse of such barrels or packages. Beer shall be sold by brewers and wholesalers in sealed barrels or packages. The revenue stamps herein provided for need not be affixed and canceled in the making of resales of barrels or packages already taxed by the affixation and cancellation of stamps as provided in this section.

(2) (~~(From and after the first day of May, 1982, until and including the thirtieth day of June, 1983)~~) 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. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

(3) The tax imposed under this section shall not apply to "strong beer" as defined in this title.

Sec. 12. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 3, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected a tax upon each retail sale of spirits, or strong beer in the original package at the rate of fifteen percent of the selling price. The tax imposed in this subsection shall apply to all such sales including sales by the Washington state liquor stores and agencies, but excluding sales to class H licensees.

(2) There is levied and shall be collected a tax upon each sale of spirits, or strong beer in the original package at the rate of ten percent of the selling price on sales by Washington state liquor stores and agencies to class H licensees.

(3) There is levied and shall be collected an additional tax upon each retail sale of spirits in the original package at the rate of one dollar and seventy-two cents per liter. The additional tax imposed in this subsection shall apply to all such sales including sales by Washington state liquor stores and agencies, and including sales to class H licensees.

(4) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the taxes payable under subsections (1), (2), and (3) of this section.

(5) The tax imposed in RCW 82.08.020, as now or hereafter amended, shall not apply to sales of spirits or strong beer in the original package.

(6) The taxes imposed in this section 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 under this section. The taxes required by this section to be collected by the seller shall be stated separately from the selling price and for purposes of determining the tax due from the buyer to the seller, it shall be conclusively presumed that the selling price quoted in any price list does not include the taxes imposed by this section.

(7) As used in this section, the terms, "spirits," "strong beer," and "package" shall have the meaning ascribed to them in chapter 66.04 RCW.

Sec. 13. Section 82.16.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 5, Laws of 1982 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, light and power, ~~((telephone))~~ 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.

(2) ~~((From and after the first day of April, 1982, until and including the thirtieth day of June, 1983:))~~ 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.

Sec. 14. Section 82.20.010, chapter 15, Laws of 1961 as amended by section 7, chapter 35, Laws of 1982 1st 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 realty 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; and for each additional five hundred dollars or fractional part thereof, fifty cents.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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) This section shall not apply to any instrument or writing, given to secure a debt, nor to any conveyance to the state.

Sec. 15. Section 82.24.020, chapter 15, Laws of 1961 as last amended by section 8, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.24.020 are each amended to read as follows:

(1) There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling, possession or distribution of all cigarettes, in an amount equal to the rate of eight and one-half mills per cigarette. For purposes of this chapter and RCW 28A.47.440, "possession" shall mean both (a) physical possession by the purchaser and, (b) when cigarettes are being transported to or held for the purchaser or his designee by a person

other than the purchaser, constructive possession by the purchaser or his designee, which constructive possession shall be deemed to occur at the location of the cigarettes being so transported or held.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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. RCW 82.24.025, and 28A.47.440.

Sec. 16. Section 82.26.020, chapter 15, Laws of 1961 as last amended by section 9, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.26.020 are each amended to read as follows:

(1) From and after June 1, 1971, there is levied and there shall be collected a tax upon the sale, use, consumption, handling, or distribution of all tobacco products in this state at the rate of forty-five percent of the wholesale sales price of such tobacco products. Such tax shall be imposed at the time the distributor (a) brings, or causes to be brought, into this state from without the state tobacco products for sale, (b) makes, manufactures, or fabricates tobacco products in this state for sale in this state, or (c) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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.

Sec. 17. Section 2, chapter 98, Laws of 1980 as last amended by section 6, chapter ... (SHB 233), Laws of 1983 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 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 food fish, shellfish, or anadromous game fish whose possession constitutes the taxable event. The taxable event is the first possession by an owner after the food fish, shellfish, or anadromous game fish have been landed. Processing and handling of 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 food fish, shellfish, and anadromous game fish and liable to this tax may deduct from the price paid to the person from which the 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 of the food fish, shellfish, or anadromous game fish. 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 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) ~~((From and after the first day of July, 1982, until and including the thirtieth day of June, 1983:))~~ 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. 18. Section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. as amended by section 11, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.29A.030 are each amended to read as follows:

(1) There is hereby levied and shall be collected a leasehold excise tax on the act or privilege of occupying or using publicly owned real or personal property through a leasehold interest on and after January 1, 1976, at a rate of twelve percent of taxable rent: PROVIDED, That after the computation of the tax there shall be allowed credit for any tax collected pursuant to RCW 82.29A.040.

(2) ~~((From and after the first day of April, 1982, until and including the thirtieth day of June, 1983:))~~ 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.

Sec. 19. Section 82.44.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.44.020 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under reciprocal agreements, the provisions of RCW 46.16.160 as now or hereafter amended, or dealer's licenses. The annual amount of such excise tax shall be two percent of the fair market value of such vehicle.

(2) From and after August 1, 1978, and until August 1, 2008, an additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the

state any such motor vehicle, and the annual amount of such additional excise shall be two-tenths of one percent of the fair market value of such vehicle.

(3) The department of licensing and county auditors shall collect the additional tax imposed by subsection (2) of this section for any registration year for the months of that registration year in which such additional tax is effective, and in the same manner and at the same time as the tax imposed by subsection (1) of this section.

(4) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

~~(5) (From and after the first day of July, 1982, until and including the thirtieth day of September, 1983:))~~ An additional tax is imposed equal to the taxes payable under subsections (1) and (2) of this section multiplied by the rate ~~((of tax applicable to the periods shown as follows:~~

July 1 - September 30, 1982	4%	
October 1 - June 30, 1983	7%	
July 1 - September 30, 1983	3%	specified in RCW 82.02.030.

Sec. 20. Section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 14, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.45.060 are each amended to read as follows:

(1) There is imposed an excise tax upon each sale of real property at the rate of one percent of the selling price.

~~(2) (From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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.

Sec. 21. Section 82.48.010, chapter 15, Laws of 1961 as last amended by section 239, chapter 158, Laws of 1979 and RCW 82.48.010 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

(1) "Aircraft" means any weight-carrying device or structure for navigation of the air ~~((:))~~ which is designed to be supported by the air ~~((: - but which is heavier than air))~~;

(2) "Director" means the director of licensing; ~~((and))~~

(3) "Person" includes a firm, partnership or corporation;

(4) "Small multi-engine fixed wing" means any piston-driven multi-engine fixed wing aircraft with a maximum gross weight as listed by the manufacturer of less than seventy-five hundred pounds; and

(5) "Large multi-engine fixed wing" means any piston-driven multi-engine fixed wing aircraft with a maximum gross weight as listed by the manufacturer of seventy-five hundred pounds or more.

Sec. 22. Section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030 are each amended to read as follows:

~~(1) The amount of the tax imposed by this chapter for each calendar year shall be ((fifteen dollars for each single engine aircraft, and twenty-five dollars for each multi-engine aircraft, irrespective of make, type, year of manufacture or any other type of classification. PROVIDED: That the calendar year)) as follows:~~

Type of aircraft	Registration fee
<u>Single engine fixed wing</u>	<u>\$ 50</u>
<u>Small multi-engine fixed wing</u>	<u>65</u>
<u>Large multi-engine fixed wing</u>	<u>80</u>
<u>Turboprop multi-engine fixed wing</u>	<u>100</u>
<u>Turbojet multi-engine fixed wing</u>	<u>125</u>
<u>Helicopter</u>	<u>75</u>
<u>Sailplane</u>	<u>20</u>
<u>Lighter than air</u>	<u>20</u>
<u>Home built</u>	<u>20</u>

~~(2) The amount of tax imposed under subsection (1) of this section for each calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax upon an aircraft registered for the first time in this state after the last day of any month shall only be levied for the remaining months of the calendar year including the month in which the aircraft is being registered. PROVIDED ((FURTHER)), That the minimum amount payable shall be three dollars.~~

An aircraft shall be deemed registered for the first time in this state when such aircraft was not previously registered by this state for the year immediately preceding the year in which application for registration is made.

Sec. 23. Section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.071 are each amended to read as follows:

(1) Upon every person engaging within this state in business as a harvester of timber; as to such persons the amount of tax imposed with respect to such business shall be equal to the stumpage value of timber harvested for sale or for commercial or industrial use multiplied by the appropriate rate as follows:

(a) For timber harvested between ~~((October 1, 1974))~~ July 1, 1983, and June 30, ~~((1983))~~ 1985, inclusive, six and one-half percent;

(b) For timber harvested July 1, 1985, through June 30, 1986, the forest excise tax rate shall be determined by applying fifty percent of the percentage change in the average property tax rate on designated and classified forest land between the fourteen-dollar rate per thousand dollars of assessed value reflected in the department of revenue forest tax report for 1975 and the comparable figure reflected in the department of revenue forest tax report for 1984, to six and one-half percent;

(c) For timber harvested July 1, 1986, through June 30, 1987, the forest excise tax rate shall be determined as in (b) of this subsection except one hundred percent of the percentage change from the fourteen-dollar rate per thousand dollars of assessed value in 1975 when compared to the comparable figure reflected in the department of revenue forest tax report for 1985, shall be applied to six and one-half percent;

(d) For timber harvested July 1, 1987, and each year thereafter, the department of revenue shall adjust the forest excise rate by the percentage change in the average rate per thousand dollars of assessed value on designated and classified forest land for the two prior calendar years as reflected in the department of revenue forest tax report; and

(e) The forest excise tax rate for (b), (c), and (d) of this subsection shall be rounded to the nearest one-tenth of one percent.

(2) For purposes of this section:

(a) "Harvester" means every person who from his own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services fells, cuts or takes timber for sale or for commercial or industrial use. It does not include persons performing under contract the necessary labor or mechanical services for a harvester.

(b) "Timber" means forest trees, standing or down, on privately or publicly owned land, and except as provided in RCW 84.33.170 includes Christmas trees.

(c) "Stumpage value of timber" means the appropriate stumpage value shown on tables to be prepared by the department of revenue pursuant to subsection (3) of this section.

(d) Timber shall be considered harvested at the time when in the ordinary course of business the quantity thereof by species is first definitely determined. The amount harvested shall be determined by the Scribner Decimal C Scale or other prevalent measuring practice adjusted to arrive at substantially equivalent measurements, as approved by the department of revenue.

(3) The department of revenue shall designate areas containing timber having similar growing, harvesting and marketing conditions to be used as units for the preparation and application of stumpage values. Each year on or before December 31 for use the following January through June 30, and on or before June 30 for use the following July through December 31, the department shall prepare tables of stumpage values of each species or subclassification of timber within such units, which values shall be the amount that each such species or subclassification would sell for at a voluntary sale made in the ordinary course of business for purposes of immediate harvest. Such stumpage values, expressed in terms of a dollar amount per thousand board feet or other unit measure, shall be determined from (a) gross proceeds from sales on the stump of similar timber of like quality and character at similar locations, and in similar quantities, or from (b) gross proceeds from sales of logs adjusted to reflect only the portion of such proceeds attributable to value on the stump immediately prior to harvest, or from a combination of (a) and (b), and shall be determined in a manner which makes reasonable and adequate allowances for age, size, quality, costs of removal, accessibility to point of conversion, market conditions and all other relevant factors. Upon application from any person who plans to harvest damaged timber, the stumpage values for which have been materially reduced from the values shown in the applicable tables due to damage resulting from fire, blow down, ice storm, flood or other sudden unforeseen cause, the department shall revise such tables for any area in which such timber is located and shall specify any additional accounting or other requirements to be complied with in reporting and paying such tax. The preliminary area designations and stumpage value tables and any revisions thereof shall be subject to review by the ways and means committees of the house and senate prior to finalization. Tables of stumpage values shall be signed by the director or his designee and authenticated by the official seal of the department. A copy thereof shall be mailed to anyone who has submitted to the department a written request therefor.

(4) On or before the sixtieth day after the date of final adoption of any stumpage value tables, any harvester may appeal to the board of tax appeals for a revision of stumpage values for an area determined pursuant to subsection (3) of this section.

(5) There are hereby created in the state treasury a state timber tax account A and a state timber tax reserve account in the state general fund and any interest earned on the investment of cash balances shall be deposited in these accounts. The revenues from the tax imposed by subsection (1) of this section on timber harvested from privately owned land until October 1, 1983, shall be deposited in state timber tax account A and state timber tax reserve account as follows:

YEAR OF COLLECTION	ACCOUNT A	RESERVE
1973 and thereafter	100%	ACCOUNT
		0%

(The revenues from the tax imposed by subsection (1) of this section on timber harvested from publicly owned land shall be deposited in the state general fund:)) The revenues from such tax on timber harvested on or after October 1, 1983, from privately owned land and on or after the effective date of this 1983 section from publicly owned land shall be deposited in a separate account within the state general fund known as the timber excise tax account. The legislature may appropriate from the account for the activities undertaken by the department of revenue relating to the collection and administration of the taxes imposed under this section and section 25 of this 1983 act.

(6) The tax imposed under this section shall be computed with respect to timber harvested each calendar quarter and shall be due and payable in quarterly installments and remittance therefor shall be made on or before the last day of the month next succeeding the end of the quarterly period in which the tax accrued. The taxpayer on or before such date shall make out a return, upon such forms and setting forth such information as the department of revenue may require, showing the amount of the tax for which he is liable for the preceding quarterly period, and shall sign and transmit the same to the department of revenue, together with a remittance for such amount.

(7) The taxes imposed by this section shall be in addition to any taxes imposed upon the same persons pursuant to one or more of sections RCW 82.04.230 to 82.04.290, inclusive, and RCW 82.04.440, and none of such sections shall be construed to modify or interact with this section in any way, except RCW 82.04.450 and 82.32.045 shall not apply to the taxes imposed by this section.

(8) Any harvester incurring less than ten dollars tax liability under this section in any calendar quarter shall be excused from the payment of such tax, but may be required by the department of revenue to file a return even though no tax may be due.

NEW SECTION. Sec. 24. There is added to chapter 84.33 RCW a new section to read as follows:

There shall be allowed a credit for taxes collected by or on behalf of a county under section 25 of this act against any tax payable under RCW 84.33.071.

NEW SECTION. Sec. 25. (1) The legislative body of any county may levy and collect a tax upon every person engaging within the county as a harvester of privately owned timber. The tax levied by a county shall not exceed sixty percent of the tax rate levied by the state on the stumpage value of the timber harvested and shall be based on the harvest values used by the state for the same period of time.

(2) The department of revenue shall collect these taxes on behalf of the county.

NEW SECTION. Sec. 26. Within thirty days after receipt, the state treasurer shall distribute from the timber excise tax account to each county the amount of tax collected on behalf of the county, less the pro rata share of administrative costs as appropriated under RCW 84.33.071(5), and shall transfer to the state general fund the amount collected on behalf of the state, less the state's pro rata share of administrative costs as appropriated under RCW 84.33.071(5).

NEW SECTION. Sec. 27. Any money received by a county after January 1, 1984, from the local timber excise tax authorized by section 25 of this act or from other timber tax accounts disbursed by the state treasurer shall be placed by the county treasurer in a county timber tax account. Distribution of such funds shall be made to the taxing districts of the county in the following manner:

(1) A timber assessed value roll shall be computed by the department of revenue for each county of the state having classified or designated forest lands before October 1 of 1983 and each year thereafter. The amount of such timber assessed value roll shall be the aggregate value of all harvested privately owned timber reported for taxation under this chapter from such classified or designated land and other land as shall be classified as of that date in the immediately preceding four quarters multiplied by the result of the rate of the county excise tax rate divided by the aggregate tax rate effective in the taxing districts of the county having classified or designated forest land within their boundaries for the current year. Each taxing district shall be apportioned a timber assessed value equal to that taxing district's proportion of the assessed value of classified and designated forest land as determined by the county assessor for the assessment year in which such money is distributed.

(2) There shall be paid to the several taxing districts of the county from the county timber tax account each calendar year, beginning with calendar year 1984, as moneys are placed in the county timber tax account, the following amounts in the following priority:

(a) From moneys available, there first shall be a distribution to each taxing district having debt service payments due during the calendar year, based upon bonds issued under authority of a vote of the people conducted pursuant to RCW 84.52.056 and based upon excess levies from the capital project fund authorized pursuant to RCW 84.52.053, of an amount equal to the timber assessed value of such district multiplied by the tax rate levied for payment of such debt service and capital projects: PROVIDED, That in respect to levies for a debt service or capital project fund authorized before the effective date of this section, the amount allocated shall not

be less than an amount equal to the same percentage of such debt service or capital project fund represented by timber tax allocations to such payments in calendar year 1983 and capital projects.

Distribution under this subsection (2)(a) shall be used only for debt service payments.

(b) From the moneys remaining after the distributions under subsection (2)(a) of this section, the county treasurer shall distribute to each district an amount equal to one-half of the timber assessed value of the district or eighty percent of the timber roll of such district in calendar year 1983 as determined under chapter 84.33 RCW, whichever is greater, multiplied by the tax rate, if any, levied by the district under RCW 84.52.052 or 84.52.053 for purposes other than debt service payments and capital projects supported under subsection (2)(a) of this section.

(c) After the distributions directed under subsection (2) (a) and (b) of this section, if any, each taxing district shall receive an amount equal to the timber assessed value of the district multiplied by the tax rate, if any, levied as a regular levy of the district.

(d) After the distributions directed under subsections (2) (a) through (c) of this section, an amount equal to one-fifth of the total distributions made during the calendar year under subsections (2) (a) through (c) of this section shall be placed in reserve for the following calendar year distributions before any further distribution is made for the current year.

(e) Any money remaining in the county timber tax account in excess of the mandated distributions and reserve requirements of subsections (2) (a) through (d) of this section shall be distributed to the several taxing districts of the county in the same proportions as the distributions made under (c) of this subsection.

(3) No distribution of money may be made to the state from the county timber tax account.

NEW SECTION. Sec. 28. (1) For the purpose of determining, calculating and fixing pursuant to RCW 84.52.052 the dollar rates for all excess levies for each taxing district within which there was timber on January 1 of such year, the assessor of each county shall, for each district, add to the amount of the "assessed valuation of the property" of all property other than timber the value determined under section 27(2)(b) of this act.

(2) For the purpose of determining, calculating, and fixing pursuant to RCW 84.52.056 the dollar rates for all debt service levies for each taxing district within which there was timber on January 1 of such year, the assessor of such county shall, for each district, add to the amount of the "assessed valuation of the property" of all property other than timber the value of the timber assessed value of the district.

NEW SECTION. Sec. 29. The state timber tax account A and state timber tax reserve account established by RCW 84.33.071, as amended by section 1, chapter 148, Laws of 1981, and the timber tax distribution guarantee account provided for by sections 5 and 7, chapter 4, Laws of 1981, shall continue within the state treasury and state general fund, respectively, until all funds remaining therein after complying with section 33 of this act are distributed as follows:

(1) Any remaining timber tax moneys in the state treasury timber tax account A and reserve fund shall be distributed in the following manner:

(a) Thirty-seven percent to the state general fund for use in support of the common schools.

(b) Subject to appropriation by the legislature, sixty-three percent to the counties of the state in the proportion the receipts of harvester excise tax from each county are to the total receipts of harvester excise tax from all counties in the state in calendar years 1982 and 1983, one-fourth of such amount being payable to the counties on May 1, 1984, May 1, 1985, and May 1, 1986, and a final distribution of any balance of harvester excise taxes in these accounts on May 1, 1987.

(2) Any remaining timber tax moneys in the state treasury timber tax distribution guarantee account shall be distributed to the counties in the same proportions and percentages as provided for account A and the reserve account on May 1, 1984.

(3) Distributions to the counties under authority of this section shall be deposited in the timber tax account of said counties and disbursed to taxing districts of each county in the same priority and as part of the distributions authorized by section 27 of this act.

NEW SECTION. Sec. 30. All sections of chapter 82.32 RCW, except RCW 82.32.270, apply to taxes imposed under this chapter.

NEW SECTION. Sec. 31. There is added to chapter 84.33 RCW a new section to read as follows:

To determine the maximum bonding limit of any taxing district other than the state, the "value of the taxable property," as the term is defined in RCW 39.36.015, in the taxing district shall include an amount equal to the timber assessed value as computed under section 27 of this act.

NEW SECTION. Sec. 32. (1) The following acts or parts of acts are each repealed:

(a) Section 5, chapter 294, Laws of 1971 ex. sess., section 4, chapter 148, Laws of 1972 ex. sess., section 90, chapter 195, Laws of 1973 1st ex. sess., section 3, chapter 187, Laws of 1974 ex. sess., section 2, chapter 148, Laws of 1981 and RCW 84.33.050;

(b) Section 6, chapter 294, Laws of 1971 ex. sess., section 91, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 347, Laws of 1977 ex. sess., section 2, chapter 6, Laws of 1979 and RCW 84.33.060;

(c) Section 8, chapter 294, Laws of 1971 ex. sess., section 2, chapter 148, Laws of 1972 ex. sess., section 92, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 187, Laws of 1974 ex. sess., section 8, chapter 123, Laws of 1975-76 2nd ex. sess., section 3, chapter 347, Laws of 1977 ex. sess., section 3, chapter 6, Laws of 1979, section 6, chapter 4, Laws of 1981, section 1, chapter 8, Laws of 1983 and RCW 84.33.080; and

(d) Section 9, chapter 294, Laws of 1971 ex. sess., section 3, chapter 148, Laws of 1972 ex. sess., section 3, chapter 148, Laws of 1981 and RCW 84.33.090.

(2) These repeals shall not be construed as affecting any existing right acquired, or any obligation or liability incurred, under the statutes repealed or under any rule, regulation, or order adopted pursuant thereto, nor as affecting any proceeding instituted thereunder.

NEW SECTION. Sec. 33. Notwithstanding section 32 of this act:

(1) The taxes due and payable under RCW 84.33.071 with respect to timber harvested during the third quarter of calendar year 1983 shall be collected and deposited in the state treasury as though sections 23 through 32 of this act had not been enacted; and

(2) The payments required to be made on November 20, 1983, by the state treasurer to the treasurer of each timber county under RCW 84.33.080 shall be made as though sections 23 through 32 of this act had not been enacted.

NEW SECTION. Sec. 34. Sections 25 through 30 of this act shall constitute a new chapter in Title 84 RCW.

Sec. 35. Section 82.32.090, chapter 15, Laws of 1961 as last amended by section 32, chapter 7, Laws of 1983 and RCW 82.32.090 are each amended to read as follows:

If payment of any tax due is not received by the department of revenue by the due date, there shall be assessed a penalty of five percent of the amount of the tax; and if the tax is not received within thirty days after the due date, there shall be assessed a total penalty of ten percent of the amount of the tax; and if the tax is not received within sixty days after the due date, there shall be assessed a total penalty of twenty percent of the amount of the tax. No penalty so added shall be less than two dollars.

If payment of any tax is received within the first ten days of the month next succeeding the month in which the tax is payable, the amount of such payment shall be credited to, and shall be treated for all purposes as having been collected during, the fiscal year which includes the month preceding the month in which such due date falls. Effective June 30, 1985, and thereafter if the payment of any tax is received during the first ~~((ten))~~ eighteen days in ~~((the month in which the tax is payable))~~ July, the amount of such payment shall be credited to, and shall be treated for all purposes as having been collected during, the preceding fiscal year ~~((which includes the month preceding the month in which such due date falls))~~.

If a warrant be issued by the department of revenue for the collection of taxes, increases, and penalties, there shall be added thereto a penalty of five percent of the amount of the tax, but not less than five dollars.

Notwithstanding the foregoing, the aggregate of penalties imposed under this chapter for failure to file a return, late payment of any tax, increase, or penalty, or issuance of a warrant shall not exceed twenty-five percent of the tax due, or seven dollars, whichever is greater.

Sec. 36. 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) For the purposes of this section:

(a) A person is engaged in wholesale business activities "within this state" only if that person:

(i) Owns or leases real property within this state;

(ii) Regularly maintains a stock of tangible personal property in this state for sale in the ordinary course of business;

(iii) Has employees or other representatives who are not independent contractors engaging in business activities within this state; or

(iv) Is a corporation which is incorporated under the laws of this state.

(b) The term "independent contractor" means:

(i) A commission agent, broker, or other independent contractor who is engaged in selling, or soliciting orders for the sale of, tangible personal property, who holds himself or herself out as such in the regular course of business activities, and who is an independent contractor for federal income tax purposes; or

(ii) Any person who is engaged:

(A) In the trade or business of selling, or soliciting the sale of, consumer products to any buyer on a buy-sell basis or a deposit-commission basis for resale, by the buyer or any other person, in the home or otherwise than in a permanent retail establishment, or in the trade or business of selling, or soliciting the sale of, consumer products in the home or otherwise than in a permanent retail establishment;



(B) Substantially all the remuneration, whether or not paid in cash, for the performance of services described in subparagraph (ii)(A) of this subsection is directly related to sales or other output, including the performance of services, rather than the number of hours worked; and

(C) The services performed by the person are performed pursuant to a written contract between such person and the person for whom the services are performed and such contract provides that the person will not be treated as an employee with respect to such purposes for federal tax purposes.

(C) A person shall not be considered to be engaged in business "within this state" merely by reason of the solicitation in this state by an independent contractor who is subject to a tax under this chapter of orders for sales to or on behalf of a customer of such person, if the orders are sent outside this state for approval or rejection and, if approved, are filled by shipment or delivery from a point outside this state.

(3) 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. 37. There is added to chapter 82.04 RCW a new section to read as follows:

For the purposes of RCW 82.04.250:

(1) A person is engaged in retail business activities "within this state" only if that person:

(a) Owns or leases real property within this state;

(b) Regularly maintains a stock of tangible personal property in this state for sale in the ordinary course of business;

(c) Has employees or other representatives who are not independent contractors engaging in business activities within this state; or

(d) Is a corporation which is incorporated under the laws of this state.

(2) As used in this section, the term "independent contractor" means:

(a) A commission agent, broker, or other independent contractor who is engaged in selling, or soliciting orders for the sale of, tangible personal property, who holds himself or herself out as such in the regular course of business activities, and who is an independent contractor for federal income tax purposes; or

(b) Any person who is engaged:

(i) In the trade or business of selling, or soliciting the sale of, consumer products to any buyer on a buy-sell basis or a deposit-commission basis for resale, by the buyer or any other person, in the home or otherwise than in a permanent retail establishment, or in the trade or business of selling, or soliciting the sale of, consumer products in the home or otherwise than in a permanent retail establishment;

(ii) Substantially all the remuneration, whether or not paid in cash, for the performance of services described in subparagraph (b)(i) of this subsection is directly related to sales or other output, including the performance of services, rather than the number of hours worked; and

(iii) The services performed by the person are performed pursuant to a written contract between such person and the person for whom the services are performed and such contract provides that the person will not be treated as an employee with respect to such purposes for federal tax purposes.

(3) A person shall not be considered to be engaged in business "within this state" merely by reason of the solicitation in this state by an independent contractor who is subject to a tax under this chapter of orders for sales to or on behalf of a customer of such person, if the orders are sent outside this state for approval or rejection and, if approved, are filled by shipment or delivery from a point outside this state.

NEW SECTION, Sec. 38. Nothing in sections 36 and 37 of this act may be construed as implying that the mere solicitation of orders by independent contractors already constitutes engaging in business within the state, nor that it was the intent of the legislature that activities of distinct economic entities, such as retailers, wholesalers, and independent contractors, be

imputed to an out-of-state business for the purpose of determining whether it was engaged in business within the state.

Sec. 39, Section 6, chapter 196, Laws of 1979 ex. sess. as amended by section 80, chapter 37, Laws of 1980 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. 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; ~~((and))~~

(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.

NEW SECTION. Sec. 40. There is added to chapter 82.04 RCW a new section to read as follows:

The provisions of this chapter shall not apply to grants received from the state or the United States government by municipal corporations or political subdivisions of the state of Washington.

NEW SECTION. Sec. 41. There is added to chapter 82.04 RCW a new section to read as follows:

This chapter shall not apply to any county, city, town, school district, or fire district activity, regardless of how financed, other than a utility or enterprise activity as defined by the state auditor pursuant to RCW 35.33.111 and 36.40.220 and upon which the tax imposed pursuant to this chapter had previously applied. Nothing contained in this section shall limit the authority of the legislature to authorize the imposition of such tax prospectively upon such activities as the legislature shall specifically designate.

NEW SECTION. Sec. 42. There is added to chapter 82.08 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 shall not apply to the lease of irrigation equipment by owners of real property to others for use in conducting farming operations on land owned by the lessor if the lessor has paid the tax imposed by this chapter at the time of purchase of the irrigation equipment.

NEW SECTION. Sec. 43. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply to the use of irrigation equipment leased by owners of real property to others for use in conducting farming operations on land owned by the lessor if the lessor has paid the tax imposed by RCW 82.08.020 at the time of acquisition of the irrigation equipment.

Sec. 44. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 65 of this 1983 act and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and five-tenths percent of the selling price(~~(-PROVIDED: That such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price: PROVIDED FURTHER: That such tax shall be levied and collected on each retail sale of telephone services, as defined in section 48 of this 1983 act, in all counties in an amount equal to six and five-tenths percent of the selling price))~~).

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 45. Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4 of this 1983 act and RCW 82.04.2901 are each amended to read as follows:

Until and including the thirtieth day of June, 1985, there is levied and shall be collected from every person, other than persons taxed under RCW 82.04... (section 3, chapter 9, Laws of 1983 as now or hereafter amended), for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW 82.04.250, an additional tax equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under the provisions of RCW 82.04.250(~~(-PROVIDED: That such additional tax shall be levied and collected from such persons making sales at retail in border counties in an amount equal to fifteen percent multiplied by the tax payable under the provisions of RCW 82.04.250))~~).

To facilitate collection of this additional tax, 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.

NEW SECTION. Sec. 46. There is added to chapter 84.36 RCW a new section to read as follows:

The real and personal property of a nonprofit organization used in providing nonpermanent shelter to indigent homeless persons is exempt from taxation if the charge, if any, for the shelter does not exceed the actual cost of operating and maintaining the shelter facility. This exemption is subject to the administrative provisions contained in RCW 84.36.800 through 84.36.865.

Sec. 47. Section 6, chapter 40, Laws of 1973 2nd ex. sess. as amended by section 3, chapter 141, Laws of 1981 and RCW 84.36.800 are each amended to read as follows:

As used in RCW 84.36.020, 84.36.030, 84.36.040, 84.36.050, 84.36.060, 84.36.037, and 84.36.800 through 84.36.865:

(1) "Church purposes" means the use of real and personal property owned by a nonprofit religious organization for religious worship or related administrative, educational, eleemosynary, and social activities. This definition is to be broadly construed;

(2) "Convent" means a house or set of buildings occupied by a community of clergymen or nuns devoted to religious life under a superior;

(3) "Hospital" means any portion of a hospital building, or other buildings in connection therewith, used as a residence for persons engaged or employed in the operation of a hospital, or operated as a portion of the hospital unit;

(4) "Nonprofit" means an organization, association or corporation no part of the income of which is paid directly or indirectly to its members, stockholders, officers, directors or trustees except in the form of services rendered by the organization, association, or corporation in accordance with its purposes and bylaws and the salary or compensation paid to officers of such organization, association or corporation is for actual services rendered and compares to the salary or compensation of like positions within the public services of the state;

(5) "Parsonage" means a residence occupied by a clergyman who is designated for a particular congregation and who holds regular services therefor;

(6) "School or college" means any nonprofit organization, association, or corporation established and operated for general educational purposes, or to provide cultural or art education programs as defined in RCW 82.04.4328.

NEW SECTION. Sec. 48. There is added to chapter 82.04 RCW a new section to read as follows:

(1) "Competitive telephone service" means the providing by any person of telecommunications equipment or apparatus, or service related to that equipment or apparatus such as repair or maintenance service, if the equipment or apparatus is of a type which can be provided by persons that are not subject to regulation as telephone companies under Title 80 RCW and for which a separate charge is made.

(2) "Network telephone service" means the providing by any person of access to a local telephone network, local telephone network switching service, toll service, or coin telephone services, or the providing of telephonic, video, data, or similar communication or transmission for hire, via a local telephone network, toll line or channel, cable, microwave, or similar communication or transmission system. "Network telephone service" includes interstate service, including toll service, originating from or received on telecommunications equipment or apparatus in this state if the charge for the service is billed to a person in this state. "Network telephone service" does not include the providing of competitive telephone service, the providing of cable television service, nor the providing of broadcast services by radio or television stations.

(3) "Telephone service" means competitive telephone service or network telephone service, or both, as defined in subsections (1) and (2) of this section.

(4) "Telephone business" means the business of providing network telephone service, as defined in subsection (2) of this section. It includes cooperative or farmer line telephone companies or associations operating an exchange.

Sec. 49. Section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 144, Laws of 1981 and RCW 82.04.050 are each amended to read as follows:

(1) "Sale at retail" or "retail sale" means every sale of tangible personal property (including articles produced, fabricated, or imprinted) to all persons irrespective of the nature of their business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than a sale to a person who (a) purchases for the purpose of resale as tangible personal property in the regular course of business without intervening use by such person, or (b) installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property of or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property without intervening use by such person, or (c) purchases for the purpose of consuming the property purchased in producing for sale a new article of tangible personal property or substance, of which such property becomes an ingredient or component or is a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale, or (d) purchases for the purpose of providing the property to consumers as part of competitive telephone service, as defined in (~~RCW 82.16.010~~) section 48 of this 1983 act. The term shall include every sale of tangible personal property which is used or consumed or to be used or consumed in the performance of any activity classified as a "sale at retail" or "retail sale" even though such property is resold or utilized as provided in (a), (b), (c), or (d) above following such use. The term also means every sale of tangible personal property to persons engaged in any business which is taxable under RCW 82.04.280, subsections (2) and (7) and RCW 82.04.290.

(2) The term "sale at retail" or "retail sale" shall include the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following: (a) The installing, repairing, cleaning, altering, imprinting, or improving of tangible personal property of or for consumers, including charges made for the mere use of facilities in respect thereto, but excluding charges made for the use of coin operated laundry facilities when such facilities are situated in an apartment house, hotel, motel, rooming house, trailer camp or tourist camp for the exclusive use of the tenants thereof, and also excluding sales of laundry service to members by nonprofit associations composed exclusively of nonprofit hospitals, and excluding services rendered in respect to live animals, birds and insects; (b) the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and shall also include the sale of services or charges made for the clearing of land and the moving of earth excepting the mere leveling of land used in commercial farming or agriculture; (c) the sale of or charge made for labor and services rendered in respect to the cleaning, fumigating, razing or moving of existing buildings or structures, but shall not include the charge made for janitorial services; and for purposes of this section the term "janitorial services" shall mean those cleaning and caretaking services ordinarily performed by commercial janitor service businesses including, but not limited to, wall and window washing, floor cleaning and waxing, and the cleaning in place of rugs, drapes and upholstery. The term "janitorial services" does not include painting, papering, repairing, furnace or septic tank cleaning, snow removal or sandblasting; (d) the sale of or charge made for labor and services rendered in respect to automobile towing and similar automotive transportation services, but not in respect to those required to report and pay taxes under chapter 82.16 RCW; (e) the sale of and charge made for the furnishing of lodging and all other services by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same; (f) the sale of or charge made for tangible personal property, labor and

services to persons taxable under (a), (b), (c), (d), and (e) above when such sales or charges are for property, labor and services which are used or consumed in whole or in part by such persons in the performance of any activity defined as a "sale at retail" or "retail sale" even though such property, labor and services may be resold after such use or consumption. Nothing contained in this paragraph shall be construed to modify the first paragraph of this section and nothing contained in the first paragraph of this section shall be construed to modify this paragraph.

(3) The term "sale at retail" or "retail sale" shall include the sale of or charge made for personal business or professional services including amounts designated as interest, rents, fees, admission, and other service emoluments however designated, received by persons engaging in the following business activities((:)): (a) Amusement and recreation businesses including but not limited to golf, pool, billiards, skating, bowling, ski lifts and tows and others; (b) abstract, title insurance and escrow businesses; (c) credit bureau businesses; (d) automobile parking and storage garage businesses.

(4) The term shall also include the renting or leasing of tangible personal property to consumers.

(5) The term shall also include the providing of ((competitive)) telephone service, as defined in ((RCW 82.16.010)) section 48 of this 1983 act, to consumers.

(6) The term shall not include the sale of or charge made for labor and services rendered in respect to the building, repairing, or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind, nor shall it include sales of feed, seed, fertilizer, and spray materials to persons for the purpose of producing for sale any agricultural product whatsoever, including milk, eggs, wool, fur, meat, honey, or other substances obtained from animals, birds, or insects but only when such production and subsequent sale are exempt from tax under RCW 82.04.330, nor shall it include sales of chemical sprays or washes to persons for the purpose of post-harvest treatment of fruit for the prevention of scald, fungus, mold, or decay.

(7) The term shall not include the sale of or charge made for labor and services rendered in respect to the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing, or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation. Nor shall the term include the sale of services or charges made for the clearing of land and the moving of earth of or for the United States, any instrumentality thereof, or a county or city housing authority.

Sec. 50. Section 82.04.060, chapter 15, Laws of 1961 and RCW 82.04.060 are each amended to read as follows:

"Sale at wholesale" or "wholesale sale" means any sale of tangible personal property, or any sale of telephone service as defined in section 48 of this 1983 act, which is not a sale at retail and means any charge made for labor and services rendered for persons who are not consumers, in respect to real or personal property, if such charge is expressly defined as a retail sale by RCW 82.04.050 when rendered to or for consumers: PROVIDED, That the term "real or personal property" as used in this section shall not include any natural products named in RCW 82.04.100.

Sec. 51. Section 82.04.190, chapter 15, Laws of 1961 as last amended by section 2, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.190 are each amended to read as follows:

"Consumer" means the following:

(1) Any person who purchases, acquires, owns, holds, or uses any article of tangible personal property irrespective of the nature of ((his)) the person's business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than for the purpose (a) of resale as tangible personal property in the regular course of business or (b) of incorporating such property as an ingredient or component of real or personal property when installing, repairing, cleaning, altering, imprinting, improving, constructing, or decorating such real or personal property of or for consumers or (c) of consuming such property in producing for sale a new article of tangible personal property or a new substance, of which such property becomes an ingredient or component or as a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale:

(2) Any person engaged in any business activity taxable under RCW 82.04.290 and any person who purchases, acquires, or uses any telephone service as defined in section 48 of this 1983 act, other than for resale in the regular course of business:

(3) Any person engaged in the business of contracting for the building, repairing or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state of Washington or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind as defined in RCW 82.04.280, in respect to tangible personal property when such person incorporates such property as an ingredient or component of such publicly owned street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle by installing, placing or spreading the property in or upon the right of way of such street, place, road, highway, easement, bridge, tunnel, or trestle or in or upon the site of such mass public transportation terminal or parking facility;

(4) Any person who is an owner, lessee or has the right of possession to or an easement in real property which is being constructed, repaired, decorated, improved, or otherwise altered by a person engaged in business, excluding only (a) municipal corporations or political subdivisions of the state in respect to labor and services rendered to their real property which is used or held for public road purposes, and (b) the United States, instrumentalities thereof, and county and city housing authorities created pursuant to chapter 35.82 RCW in respect to labor and services rendered to their real property. Nothing contained in this or any other subsection of this definition shall be construed to modify any other definition of "consumer";

(5) Any person who is an owner, lessee, or has the right of possession to personal property which is being constructed, repaired, improved, cleaned, imprinted, or otherwise altered by a person engaged in business;

(6) Any person engaged in the business of constructing, repairing, decorating, or improving new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation. Any such person shall be a consumer within the meaning of this subsection in respect to tangible personal property incorporated into, installed in, or attached to such building or other structure by such person.

Sec. 52. Section 82.04.460, chapter 15, Laws of 1961 as amended by section 9, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.460 are each amended to read as follows:

(1) Any person rendering services taxable under RCW 82.04.290 and maintaining places of business both within and without this state which contribute to the rendition of such services shall, for the purpose of computing tax liability under RCW 82.04.290, apportion to this state that portion of his gross income which is derived from services rendered within this state. Where such apportionment cannot be accurately made by separate accounting methods, the taxpayer shall apportion to this state that proportion of his total income which the cost of doing business within the state bears to the total cost of doing business both within and without the state.

(2) Notwithstanding the provision of subsection (1) of this section, persons doing business both within and without the state who receive gross income from service charges, as defined in RCW 63.14.010(8) (relating to amounts charged for granting the right or privilege to make deferred or installment payments) or who receive gross income from engaging in business as financial institutions within the scope of chapter 82.14A RCW (relating to city taxes on financial institutions) shall apportion or allocate gross income taxable under RCW 82.04.290 to this state pursuant to rules promulgated by the department consistent with uniform rules for apportionment or allocation developed by the states.

(3) The department shall by rule provide a method or methods of apportioning or allocating gross income derived from sales of telephone services taxed under this chapter, if the gross proceeds of sales subject to tax under this chapter do not fairly represent the extent of the taxpayer's income attributable to this state. The rules shall be, so far as feasible, consistent with the methods of apportionment contained in this section and shall require the consideration of those facts, circumstances, and apportionment factors as will result in an equitable and constitutionally permissible division of the services.

Sec. 53. Section 82.04.470, chapter 15, Laws of 1961 as amended by section 43, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.470 are each amended to read as follows:

Unless a seller has taken from the purchaser a resale certificate signed by, and bearing the name and address and registration number of the purchaser to the effect that the property or service was purchased for resale, or unless the nature of the transaction is clearly shown as a sale at wholesale by the books and records of the taxpayer in such other manner as the department of revenue shall by regulation provide, the burden of proving that a sale of tangible personal property, or of telephone service as defined in section 48 of this 1983 act, was not a sale at retail shall be upon the person who made it.

NEW SECTION. Sec. 54. There is added to chapter 82.08 RCW a new section to read as follows:

(1) The tax levied by RCW 82.08.020 shall not apply to sales of:

(a) Network telephone service, other than toll service, to residential customers.

(b) Network telephone service which is paid for by inserting coins in coin-operated telephones.

(2) As used in this section:

(a) "Network telephone service" has the meaning given in section 48 of this act.

(b) "Residential customer" means an individual subscribing to a residential class of telephone service.

(c) "Toll service" does not include customer access line charges for access to a toll calling network.

Sec. 55. Section 3, chapter 94, Laws of 1970 ex. sess. as last amended by section 1, chapter 211, Laws of 1982 and RCW 82.14.020 are each amended to read as follows:

For purposes of this chapter:

(1) A retail sale consisting solely of the sale of tangible personal property shall be deemed to have occurred at the retail outlet at or from which delivery is made to the consumer;

(2) A retail sale consisting essentially of the performance of personal business or professional services shall be deemed to have occurred at the place at which such services were primarily performed;

(3) A retail sale consisting of the rental of tangible personal property shall be deemed to have occurred (a) in the case of a rental involving periodic rental payments, at the primary place of use by the lessee during the period covered by each payment, or (b) in all other cases, at the place of first use by the lessee;

(4) A retail sale within the scope of the second paragraph of RCW 82.04.050, and a retail sale of taxable personal property to be installed by the seller shall be deemed to have occurred at the place where the labor and services involved were primarily performed;

(5) A retail sale consisting of the providing to a consumer of (~~competitive~~) telephone service, as defined in (~~RCW 82.16.010~~) section 48 of this 1983 act, other than a sale of tangible personal property under subsection (1) of this section or a rental of tangible personal property under subsection (3) of this section, shall be deemed to have occurred at the situs of the (~~primary~~) telephone or other instrument through which the (~~competitive~~) telephone service is rendered;

(6) "City" means a city or town;

(7) The meaning ascribed to words and phrases in chapters 82.04, 82.08 and 82.12 RCW, as now or hereafter amended, insofar as applicable, shall have full force and effect with respect to taxes imposed under authority of this chapter;

(8) "Taxable event" shall mean any retail sale, or any use of an article of tangible personal property, upon which a state tax is imposed pursuant to chapter 82.08 or 82.12 RCW, as they now exist or may hereafter be amended: PROVIDED, HOWEVER, That the term shall not include a retail sale taxable pursuant to RCW 82.08.150, as now or hereafter amended;

(9) "Treasurer or other legal depository" shall mean the treasurer or legal depository of a county or city.

Sec. 56. Section 82.16.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1982 2nd ex. sess and RCW 82.16.010 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

(1) "Railroad business" means the business of operating any railroad, by whatever power operated, for public use in the conveyance of persons or property for hire. It shall not, however, include any business herein defined as an urban transportation business.

(2) "Express business" means the business of carrying property for public hire on the line of any common carrier operated in this state, when such common carrier is not owned or leased by the person engaging in such business.

(3) "Railroad car business" means the business of renting, leasing or operating stock cars, furniture cars, refrigerator cars, fruit cars, poultry cars, tank cars, sleeping cars, parlor cars, buffet cars, tourist cars, or any other kinds of cars used for transportation of property or persons upon the line of any railroad operated in this state when such railroad is not owned or leased by the person engaging in such business.

(4) "Water distribution business" means the business of operating a plant or system for the distribution of water for hire or sale.

(5) "Light and power business" means the business of operating a plant or system for the generation, production or distribution of electrical energy for hire or sale.

(6) (~~"Telephone business" means the business of providing access to a local telephone network, local telephone network switching service, toll service, or coin telephone services, or providing telephonic, video, data, or similar communication or transmission for hire, via a local telephone network, toll line or channel, or similar communication or transmission system. It includes cooperative or farmer line telephone companies or associations operating an exchange. "Telephone business" does not include the providing of competitive telephone service, nor the providing of cable television service.~~)

(~~7~~) "Telegraph business" means the business of affording telegraphic communication for hire.

((~~6~~)) (7) "Gas distribution business" means the business of operating a plant or system for the production or distribution for hire or sale of gas, whether manufactured or natural.

~~((9))~~ (8) "Motor transportation business" means the business (except urban transportation business) of operating any motor propelled vehicle by which persons or property of others are conveyed for hire, and includes, but is not limited to, the operation of any motor propelled vehicle as an auto transportation company (except urban transportation business), common carrier or contract carrier as defined by RCW 81.68.010 and 81.80.010: PROVIDED, That "motor transportation business" shall not mean or include the transportation of logs or other forest products exclusively upon private roads or private highways.

~~((10))~~ (9) "Urban transportation business" means the business of operating any vehicle for public use in the conveyance of persons or property for hire, insofar as (a) operating entirely within the corporate limits of any city or town, or within five miles of the corporate limits thereof, or (b) operating entirely within and between cities and towns whose corporate limits are not more than five miles apart or within five miles of the corporate limits of either thereof. Included herein, but without limiting the scope hereof, is the business of operating passenger vehicles of every type and also the business of operating cartage, pickup, or delivery services, including in such services the collection and distribution of property arriving from or destined to a point within or without the state, whether or not such collection or distribution be made by the person performing a local or interstate line-haul of such property.

~~((11))~~ (10) "Public service business" means any of the businesses defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), ~~and~~ (9) ~~(--and (10))~~ or any business subject to control by the state, or having the powers of eminent domain and the duties incident thereto, or any business hereafter declared by the legislature to be of a public service nature, except telephone business as defined in section 48 of this 1983 act. It includes, among others, without limiting the scope hereof: Airplane transportation, boom, dock, ferry, log patrol, pipe line, warehouse, toll bridge, toll logging road, water transportation and wharf businesses.

~~((12))~~ (11) "Tugboat business" means the business of operating tugboats, lowboats, wharf boats or similar vessels in the towing or pushing of vessels, barges or rafts for hire.

~~((13))~~ (12) "Gross income" means the value proceeding or accruing from the performance of the particular public service or transportation business involved, including operations incidental thereto, but without any deduction on account of the cost of the commodity furnished or sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses: PROVIDED, That gross income of a light and power business means those amounts or value accruing to a taxpayer from the last distribution of electrical energy which is a taxable event within this state.

~~((14))~~ (13) The meaning attributed, in chapter 82.04 RCW, to the term "tax year," "person," "value proceeding or accruing," "business," "engaging in business," "in this state," "within this state," "cash discount" and "successor" shall apply equally in the provisions of this chapter.

~~((15))~~ "Competitive telephone service" means the providing by any person of telephone equipment, apparatus, or service, other than toll service, which is of a type which can be provided by persons that are not subject to regulation as telephone companies under Title 86 RCW and for which a separate charge is made.)

Sec. 57, Section 6, chapter 134, Laws of 1972 ex. sess. as last amended by section 7, chapter 99, Laws of 1983 and RCW 35.21.710 are each amended to read as follows:

Any city which imposes a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales, shall impose such tax at a single uniform rate upon all such business activities. The taxing authority granted to cities for taxes upon business activities measured by gross receipts or gross income from sales shall not exceed a rate of .0020: except that any city with an adopted ordinance at a higher rate, as of January 1, 1982 shall be limited to a maximum increase of ten percent of the January 1982 rate, not to exceed an annual incremental increase of two percent of current rate: PROVIDED, That any adopted ordinance which classifies according to different types of business or services shall be subject to both the ten percent and the two percent annual incremental increase limitation on each tax rate: PROVIDED FURTHER, That all surtaxes on business and occupation classifications in effect as of January 1, 1982, shall expire no later than December 31, 1982, or by expiration date established by local ordinance. Cities which impose a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales shall be required to submit an annual report to the state auditor identifying the rate established and the revenues received from each fee or tax. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW. For purposes of this section, the providing to consumers of competitive telephone service, as defined in ~~(RCW 82.16.010)~~ section 48 of this 1983 act, shall be deemed to be the retail sale of tangible personal property.

Sec. 58, Section 7, chapter 134, Laws of 1972 ex. sess. as amended by section 7, chapter 144, Laws of 1981 and RCW 35A.82.050 are each amended to read as follows:

Any code city which imposes a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales, shall impose such tax at a single uniform rate upon all such



business activities. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW. For purposes of this section, the providing to consumers of competitive telephone service, as defined in ((RCW 82.16.010)) section 48 of this 1983 act, shall be deemed to be the retail sale of tangible personal property.

Sec. 59. Section 8, chapter 144, Laws of 1981 and RCW 35.21.712 are each amended to read as follows:

Any city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ((RCW 82.16.010)) section 48 of this 1983 act, which is measured by gross receipts or gross income from the business shall impose the tax at a uniform rate on all persons engaged in the telephone business in the city.

This section does not apply to the providing of competitive telephone service as defined in ((RCW 82.16.010)) section 48 of this 1983 act.

Sec. 60. Section 9, chapter 144, Laws of 1981 and RCW 35A.82.055 are each amended to read as follows:

Any code city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ((RCW 82.16.010)) section 48 of this 1983 act, which is measured by gross receipts or gross income from the business shall impose the tax at a uniform rate on all persons engaged in the telephone business in the code city.

This section does not apply to the providing of competitive telephone service as defined in ((RCW 82.16.010)) section 48 of this 1983 act.

Sec. 61. Section 10, chapter 144, Laws of 1981 and RCW 35.21.714 are each amended to read as follows:

Any city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ((RCW 82.16.010)) which is measured by gross receipts or gross income may impose the fee or tax, if it desires, on one hundred percent of the total gross revenue derived from toll telephone services subject to the fee or tax) section 48 of this 1983 act, shall not impose the fee or tax on network telephone service, as defined in section 48 of this 1983 act, the rates for which are contained in tariffs filed with the federal communications commission.

Sec. 62. Section 11, chapter 144, Laws of 1981 and RCW 35A.82.060 are each amended to read as follows:

Any code city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ((RCW 82.16.010)) which is measured by gross receipts or gross income may impose the fee or tax, if it desires, on one hundred percent of the total gross revenue derived from toll telephone services subject to the fee or tax) section 48 of this 1983 act, shall not impose the fee or tax on network telephone service, as defined in section 48 of this 1983 act, the rates for which are contained in tariffs filed with the federal communications commission.

Sec. 63. Section 2, chapter 49, Laws of 1982 1st ex. sess. and RCW 35.21.860 are each amended to read as follows:

(1) No city or town may impose a franchise fee or any other fee or charge of whatever nature or description upon the light and power, ((telephone)) or gas distribution businesses, as defined in RCW 82.16.010, or telephone business, as defined in section 48 of this 1983 act, except that (a) a tax authorized by RCW 35.21.865 may be imposed and (b) a fee may be charged to such businesses that recovers actual administrative expenses incurred by a city or town that are directly related to receiving and approving a permit, license, and franchise, to inspecting plans and construction, or to the preparation of a detailed statement pursuant to chapter 43.21C RCW.

(2) Subsection (1) of this section does not prohibit franchise fees imposed on an electrical energy, natural gas, or telephone business, by contract existing on April 20, 1982, with a city or town, for the duration of the contract, but the franchise fees shall be considered taxes for the purposes of the limitations established in RCW 35.21.865 and 35.21.870 to the extent the fees exceed the costs allowable under subsection (1) of this section.

Sec. 64. Section 80.04.270, chapter 14, Laws of 1961 as amended by section 5, chapter 144, Laws of 1981 and RCW 80.04.270 are each amended to read as follows:

Any public service company engaging in the sale of merchandise or appliances or equipment shall keep separate accounts, as prescribed by the commission, of its capital employed in such business and of its revenues therefrom and operating expenses thereof. The capital employed in such business shall not constitute a part of the fair value of said company's property for rate making purposes, nor shall the revenues from or operating expenses of such business constitute a part of the operating revenues and expenses of said company as a public service company. For purposes of this section, the providing of competitive telephone service, as defined in ((RCW 82.16.010)) section 48 of this 1983 act, shall not constitute the sale of merchandise, appliances, or equipment, unless the commission determines that it would be in the public interest to hold otherwise.

Sec. 65. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 7, Laws of 1983 and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and five-tenths percent of the selling price: PROVIDED, That such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price: PROVIDED FURTHER, That such tax shall be levied and collected on each retail sale of telephone services, as defined in section 48 of this 1983 act, in all counties in an amount equal to six and five-tenths percent of the selling price.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

NEW SECTION, Sec. 66. There is added to chapter 84.36 a new section to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 67, 68, and 69 of this act.

(1) "Business inventories" means all livestock and means personal property not under lease or rental, acquired or produced solely for the purpose of sale or lease, or for the purpose of consuming such property in producing for sale or lease a new article of tangible personal property of which such property becomes an ingredient or component. Business inventories shall not mean personal property acquired or produced for the purpose of lease or rental if such property was leased or rented at any time during the calendar year immediately preceding the year of assessment and was not thereafter remanufactured, nor shall it include property held within the normal course of business for lease or rental for periods of less than thirty days. "Business inventories" does not include personal property acquired or produced for the purpose of lease or rental, agricultural or horticultural property fully or partially exempt under RCW 84.36.470, or standing timber. "Business inventories" includes inventories of finished goods and work in process. For purposes of this subsection, "remanufacturing" means restoration of property to essentially original condition, but does not mean normal maintenance or repairs.

(2) "Excess inventory value" for a taxing district means that portion of the total assessed value of business inventories in the district which exceeds fifteen percent of the total assessed value of property in the district, as listed for 1984 taxes prior to the allowance of the exemption under section 69 of this act.

(3) "Excess inventory district" means a taxing district with an excess inventory value greater than zero.

NEW SECTION, Sec. 67. There is added to chapter 84.09 RCW a new section to read as follows:

(1) On or before December 15, 1983, each county assessor shall provide the department with a list of the amount of excess inventory value in each taxing district in the county.

(2) From amounts appropriated for this purpose, the department shall calculate the following amounts for each taxing district, distribute fifty-five percent of the amount to the taxing district on or before May 31 of the year for which the calculation is made, and distribute forty-five percent of the amount to the taxing district on or before November 30 of that year:

(a) For 1984, an amount equal to the district's 1984 levy rate multiplied by the district's excess inventory value;

(b) For 1985, an amount equal to seventy-five percent of the amount calculated for the district under subsection (2)(a) of this section;

(c) For 1986, an amount equal to fifty percent of the amount calculated for the district under subsection (2)(a) of this section;

(d) For 1987, an amount equal to twenty-five percent of the amount calculated for the district under subsection (2)(a) of this section.

NEW SECTION, Sec. 68. There is added to chapter 84.52 RCW a new section to read as follows:

The county assessor shall calculate tax levy rates for each excess inventory district as follows:

(1) For 1984 taxes, the assessor shall calculate the levy rate as if the assessed value of property in the district included the excess inventory value of the district;

(2) For 1985, 1986, and 1987 taxes, the assessor shall calculate the levy rate after subtracting the payment to be received by the district under section 67 of this act during that year from the total levy amount.

NEW SECTION, Sec. 69. There is added to chapter 84.36 RCW a new section to read as follows:

Business inventories as defined in section 66 of this act are exempt from property taxation.

Sec. 70. Section 9, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.405 are each amended to read as follows:

The department of revenue shall promulgate such rules and regulations, and prescribe such procedures as it deems necessary to carry out RCW 82.04.442 through 82.04.445, 84.36.470, 84.40.400 (~~and 84.40.405~~), sections 66, 67, 68, and 69 of this 1983 act, and this section.

NEW SECTION, Sec. 71. There is added to chapter 84.55 RCW a new section to read as follows:

As used in this chapter, the term "regular property taxes" has the meaning given it in RCW 84.04.140, and also includes amounts received in lieu of regular property taxes under section 67 of this act.

Sec. 72. Section 82.04.100, chapter 15, Laws of 1961 as amended by section 2, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.100 are each amended to read as follows:

"Extractor" means every person who from his or her own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services, for sale or for commercial or industrial use mines, quarries, takes or produces coal, oil, natural gas, ore, stone, sand, gravel, clay, mineral or other natural resource product, or fells, cuts or takes timber, Christmas trees or other natural products, or takes, cultivates, or raises fish, shellfish, or other sea or inland water foods or products. ((It)) "Extractor" does not include persons performing under contract the necessary labor or mechanical services for others or persons cultivating or raising fish in or taking fish from fresh water on their own land.

Sec. 73. Section 82.04.330, chapter 15, Laws of 1961 as amended by section 7, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.330 are each amended to read as follows:

This chapter shall not apply to any person in respect to the business of growing or producing for sale upon his own lands or upon land in which he has a present right of possession, any agricultural or horticultural produce or crop, including the raising for sale of any animal, bird, or insect, or the milk, eggs, wool, fur, meat, honey, or other substance obtained therefrom, or in respect to the sale of such products at wholesale by such grower, producer, or raiser thereof. This exemption shall not apply to any person selling such products at retail or using such products as ingredients in a manufacturing process; nor to the sale of any animal or substance obtained therefrom by a person in connection with his business of operating a stockyard or a slaughter or packing house; nor to any person in respect to the business of taking, cultivating, or raising Christmas trees or timber; nor to any association of persons whatever, whether mutual, cooperative or otherwise, engaging in any business activity with respect to which tax liability is imposed under the provisions of this chapter.

This chapter shall also not apply to any person in respect to the business of cultivating or raising fish in or taking fish from fresh water on his or her own land.

NEW SECTION. Sec. 74. There is added to chapter 82.08 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales of feed used for cultivating or raising fish in fresh water on one's own land.

NEW SECTION. Sec. 75. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply in respect to the use of feed for cultivating or raising fish in fresh water on one's own land.

Sec. 76. Section 39, chapter 37, Laws of 1980 as amended by section 1, chapter 5, Laws of 1982 1st ex. sess. and RCW 82.08.0273 are each amended to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales to nonresidents of this state of tangible personal property for use outside this state when the purchaser has applied for and received from the department of revenue a permit certifying (1) that ~~(he)~~ the purchaser is a bona fide resident of a state or possession or Province of Canada other than the state of Washington, (2) that such state, possession, or Province of Canada does not impose a retail sales tax or use tax of three percent or more or, if imposing such a tax, permits Washington residents exemption from otherwise taxable sales by reason of their residence, and (3) that he or she does agree, when requested, to grant the department of revenue access to such records and other forms of verification at his or her place of residence to assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this section must display a nonresident permit as herein provided, and any vendor making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable, shall be renewable annually, and shall be issued by the department of revenue upon payment of a fee of ~~((five))~~ one dollar~~((s))~~. The department may in its discretion designate independent agents for the issuance of permits, according to such standards and qualifications as the department may prescribe. Such agents shall pay over and account to the department for all permit fees collected, after deducting as a collection fee the sum of ~~((one dollar))~~ fifty cents for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of perjury. Any person making tax exempt purchases by displaying a permit not his or her own, or a counterfeit permit, with intent to violate the provisions of this section shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit, and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due.

Sec. 77. Section 82.04.450, chapter 15, Laws of 1961 as amended by section 42, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.450 are each amended to read as follows:

(1) The value of products, including byproducts, extracted or manufactured shall be determined by the gross proceeds derived from the sale thereof whether such sale is at wholesale or at retail, to which shall be added all subsidies and bonuses received from the purchaser or from any other person with respect to the extraction, manufacture, or sale of such products or byproducts by the seller, except:

((+)) (a) Where such products, including byproducts, are extracted or manufactured for commercial or industrial use;

((+)) (b) Where such products, including byproducts, are shipped, transported or transferred out of the state, or to another person, without prior sale or are sold under circumstances such that the gross proceeds from the sale are not indicative of the true value of the subject matter of the sale.

(2) In the above cases the value shall correspond as nearly as possible to the gross proceeds from sales in this state of similar products of like quality and character, and in similar quantities by other taxpayers, plus the amount of subsidies or bonuses ordinarily payable by the purchaser or by any third person with respect to the extraction, manufacture, or sale of such products: PROVIDED, That the value of a product manufactured or produced for purposes of serving as a prototype for the development of a new or improved product shall correspond: (a) To the retail selling price of such new or improved product when first offered for sale; or (b) to the value of materials incorporated into the prototype in cases in which the new or improved product is not offered for sale. The department of revenue shall prescribe uniform and equitable rules for the purpose of ascertaining such values.

Sec. 78. Section 82.12.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 1, Laws of 1975-'76 2nd ex. sess. and RCW 82.12.010 are each amended to read as follows:

For the purposes of this chapter:

(1) "Value of the article used" shall mean the consideration, whether money, credit, rights, or other property, expressed in terms of money, paid or contracted to be paid or given by the purchaser to the seller for the article of tangible personal property, the use of which is taxable under this chapter. The term includes, in addition to the consideration paid or given or contracted to be paid or given, the amount of any tariff or duty paid with respect to the importation of the article used. In case the article used is acquired by lease or by gift or is extracted, produced, or manufactured by the person using the same or is sold under conditions wherein the purchase price does not represent the true value thereof, the value of the article used shall be determined as nearly as possible according to the retail selling price at place of use of similar products of like quality and character under such rules and regulations as the department of revenue may prescribe.

In case the articles used are acquired by bailment, the value of the use of the articles so used shall be in an amount representing a reasonable rental for the use of the articles so bailed, determined as nearly as possible according to the value of such use at the places of use of similar products of like quality and character under such rules and regulations as the department of revenue may prescribe: PROVIDED, That in case any such articles of tangible personal property are used in respect to the construction, repairing, decorating, or improving of, and which become or are to become an ingredient or component of, new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing or attaching of any such articles therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, then the value of the use of such articles so used shall be determined according to the retail selling price of such articles, or in the absence of such a selling price, as nearly as possible according to the retail selling price at place of use of similar products of like quality and character or, in the absence of either of these selling price measures, such value may be determined upon a cost basis, in any event under such rules and regulations as the department of revenue may prescribe.

In the case of articles manufactured or produced by the user and used in the manufacture or production of products sold or to be sold to the department of defense of the United States, the value of the articles used shall be determined according to the value of the ingredients of such articles.

In the case of an article manufactured or produced for purposes of serving as a prototype for the development of a new or improved product, the value of the article used shall be determined by: (a) The retail selling price of such new or improved product when first offered for sale; or (b) the value of materials incorporated into the prototype in cases in which the new or improved product is not offered for sale.

(2) "Use," "used," "using," or "put to use" shall have their ordinary meaning, and shall mean the first act within this state by which the taxpayer takes or assumes dominion or control over the article of tangible personal property (as a consumer), and include installation, storage, withdrawal from storage, or any other act preparatory to subsequent actual use or consumption within this state:

(3) "Taxpayer" and "purchaser" include all persons included within the meaning of the word "buyer" and the word "consumer" as defined in chapters 82.04 and 82.08 RCW;

(4) "Retailer" means every person engaged in the business of selling tangible personal property at retail and every person required to collect from purchasers the tax imposed under this chapter;

(5) The meaning ascribed to words and phrases in chapters 82.04 and 82.08 RCW, insofar as applicable, shall have full force and effect with respect to taxes imposed under the provisions of this chapter. "Consumer," in addition to the meaning ascribed to it in chapters 82.04 and 82.08 RCW insofar as applicable, shall also mean any person who distributes or displays, or causes to be distributed or displayed, any article of tangible personal property, except newspapers, the primary purpose of which is to promote the sale of products or services.

NEW SECTION. Sec. 79. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply in respect to the use of computers irrevocably donated to any public or private nonprofit school or college, as defined under chapter 84.36 RCW, in this state. For purposes of this section, "computer" means a data processor that can perform substantial computation, including numerous arithmetic or logic operations, without intervention by a human operator during the run.

NEW SECTION. Sec. 80. There is added to chapter 82.08 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 does not apply to the sale of precious metal bullion or monetized bullion, except for sales for commercial or industrial purposes. 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 chromium, 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. 81. There is added to chapter 82.12 RCW a new section to read as follows:

The tax levied by RCW 82.12.020 does not apply to the sale of precious metal bullion or monetized bullion, except for sales for commercial or industrial purposes. 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 chromium, 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.

Sec. 82. Section 9, chapter 7, Laws of 1983 and RCW 82.\_\_\_\_\_ are each amended to read as follows:

An excise tax is imposed for the privilege of using a vessel (~~for which registration is required under chapter 88 RCW (sections 14 through 22 of this act)~~) upon the waters of this state, except vessels (~~covered by a dealer's registration number under this chapter~~) exempt under section 83 of this 1983 act. The annual amount of the excise tax is one-half percent of fair market value, as determined under this chapter, or five dollars, whichever is greater.

The excise tax upon a vessel registered for the first time in this state shall be imposed for a twelve-month period, including the month in which the vessel is registered, unless the director of licensing extends or diminishes vessel registration periods for the purpose of staggered renewal periods under RCW 88.--- (section 18 (~~of this act~~), chapter 7, Laws of 1983). A vessel is registered for the first time in this state when the vessel was not registered in this state for the immediately preceding registration year, or when the vessel was registered in another jurisdiction for the immediately preceding year. The excise tax on vessels required to be registered in this state on the effective date of this section shall be paid by June 30, 1983.

NEW SECTION. Sec. 83. There is added to chapter 82.\_\_\_\_ RCW (sections 9 through 13, chapter 7, Laws of 1983) a new section to read as follows:

The following are exempt from the tax imposed under this chapter:

(1) Vessels exempt from the registration requirements of chapter 88.\_\_\_\_ RCW (sections 14 through 22, chapter 7, Laws of 1983);

(2) Vessels used exclusively for commercial fishing purposes;

(3) Vessels owned and operated by the United States, a state of the United States, or any municipality or political subdivision thereof;

(4) Vessels under sixteen feet in overall length; and

(5) Vessels owned and held for sale by a dealer, but not rented on a regular commercial basis.

Sec. 84. Section 16, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_\_ are each amended to read as follows:

Vessel registration is required under this chapter except for the following:

(1) ~~((Vessels owned and operated by the United States, another state, or a political subdivision thereof)) Military or public vessels of the United States, except recreational-type public vessels;~~

(2) ~~Vessels owned ((and operated by this state, or by any municipality or political subdivision thereof) by a state or subdivision thereof, used principally for governmental purposes and clearly identifiable as such;~~

(3) ~~Vessels owned by a resident of a country other than the United States or Canada if the vessel is not physically located upon the waters of this state for a period of more than ((sixty)) forty-five days;~~

(4) ~~Vessels owned by a resident of another state or a Canadian province if the vessel is registered in accordance with the laws of the state or province in which the owner resides, but only to the extent that a similar exemption or privilege is granted under the laws of that state or province for vessels registered in this state: PROVIDED, That any vessel which is validly registered in another state or a Canadian province and which is physically located in this state for a period of more than sixty days is subject to registration under this chapter;~~

(5) ~~Vessels used as a ship's ((tender or)) lifeboat;~~

(6) ~~Vessels equipped with propulsion machinery of less than ten horse power that:~~

(a) ~~Are owned by the owner of a vessel for which a valid vessel number has been issued;~~

(b) ~~Display the number of that numbered vessel followed by the suffix "1" in the manner prescribed by the department; and~~

(c) ~~Are used as a tender for direct transportation between that vessel and the shore and for no other purpose;~~

(7) ~~Vessels under sixteen feet in overall length ((or whose primary propulsion is human power)) which have no propulsion machinery of any type;~~

~~((7)) (8) Vessels with no propulsion machinery of any type for which the primary mode of propulsion is human power;~~

(9) ~~Vessels which are temporarily in this state undergoing repair or alteration ((and vessels which are designed and used exclusively for racing));~~

~~((8) Vessels used exclusively for commercial fishing purposes; and~~

~~((9)) (10) Vessels primarily engaged in commerce which have or are required to have a valid marine document as a vessel of the United States ((and which are primarily engaged in commerce)); and~~

~~(11) Vessels primarily engaged in commerce which are owned by a resident of a country other than the United States.~~

Sec. 85. Section 18, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_\_ are each amended to read as follows:

Application for a vessel registration shall be made to the department or its authorized agent in the manner and upon forms prescribed by the department. The application shall state the name and address of each owner of the vessel and such other information as may be required by the department, shall be signed by at least one owner, and shall be accompanied by a vessel registration fee of six dollars per year and the excise tax imposed under chapter 82.\_\_\_\_ RCW (sections 9 through 13 ~~((of this act)), chapter 7, Laws of 1983~~). Any fees required for licensing agents under RCW 46.01.140 shall be in addition to the six-dollar annual registration fee.

Upon receipt of the application and the registration fee, the department shall assign a registration number and issue a decal for each vessel. The registration number and decal shall be issued and affixed to the vessel in a manner prescribed by the department consistent with the standard numbering system for vessels set forth in volume 33, part 174, of the code of federal regulations. A valid decal affixed as prescribed shall indicate compliance with the annual registration requirements of this chapter.

The vessel registrations and decals are valid for a period of one year, except that the director of licensing may extend or diminish vessel registration periods, and the decals therefor, for the purpose of staggered renewal periods. For registration periods of more or less than one year, the department may collect prorated annual registration fees and excise taxes based upon the number of months in the registration period. Vessel registrations are renewable every year in a manner prescribed by the department upon payment of the vessel registration fee and excise tax. Upon renewing a vessel registration, the department shall issue a new decal to be affixed as prescribed by the department.

A person acquiring a vessel from a dealer or a vessel already validly registered under this chapter shall, within fifteen days of the acquisition or purchase of the vessel, apply to the department or its authorized agent for transfer of the vessel registration, and the application shall be accompanied by a transfer fee of one dollar.

NEW SECTION. Sec. 86. There is added to chapter 88.\_\_\_\_ RCW (sections 14 through 22, chapter 7, Laws of 1983) a new section to read as follows:

(1) The department shall provide for the issuance of vessel certificates of title through the agents appointed under RCW 88.\_\_\_\_ (section 17, chapter 7, Laws of 1983). The fee for a vessel certificate of title is five dollars. Fees for vessel certificates of title shall be deposited in the general fund. The provisions of chapters 46.12 and 46.16 RCW relating to motor vehicle certificates of registration, titles, certificate issuance, ownership transfer, and perfection of security interests, and other provisions which may be applied to vessels subject to this chapter, may be so applied by rule of the department if they are not inconsistent with this chapter.

(2) Whenever a vessel is to be registered for the first time as required by this chapter, application shall be made at the same time for a certificate of title. Any person who purchases or otherwise obtains majority ownership of any vessel subject to the provisions of this chapter shall within fifteen days thereof apply for a new certificate of title which shows the vessel's change of ownership.

(3) Security interests may be released or acted upon as provided by the law under which they arose or were perfected. No new security interest or renewal or extension of an existing security interest is affected except as provided under the terms of this chapter and RCW 46.12.095.

(4) Notice shall be given to the issuing authority by the owner indicated on the certificate of registration within fifteen days of the occurrence of any of the following: Transfer of any part or all of the ownership of a vessel registered under this chapter; any change of address of owner; destruction, loss, abandonment, theft, or recovery of the vessel; or loss or destruction of a valid certificate of registration on the vessel.

Sec. 87. Section 15, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_ are each amended to read as follows:

(1) Except as provided in this chapter, no person may own or operate any vessel on the waters of this state unless the vessel has been registered and displays a registration number and a valid decal in accordance with this chapter.

(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.

NEW SECTION. Sec. 88. There is added to chapter 88.\_\_\_\_ RCW (sections 14 through 22, chapter 7, Laws of 1983) a new section to read as follows:

(1) The operator of a vessel involved in a collision, accident, or other casualty, to the extent the operator can do so without serious danger to the operator's own vessel or persons aboard, shall render all practical and necessary assistance to persons affected by the collision, accident, or casualty to save them from danger caused by the incident. Under no circumstances may the rendering of assistance or other compliance with this section be evidence of the liability of such operator for the collision, accident, or casualty. The operator shall also give his or her name, address, and the identification of the operator's vessel to the commission and any person injured and to the owner of any property damaged. These duties are in addition to any duties otherwise imposed by law.

(2) Any person who complies with subsection (1) of this section or who gratuitously and in good faith renders assistance at the scene of a vessel collision, accident, or other casualty, without objection of the person assisted, shall not be held liable for any civil damages as a result of the rendering of assistance or for any act or omission in providing or arranging salvage, towage, medical treatment, or other assistance, where the assisting person acts as any reasonably prudent person would have acted under the same or similar circumstances.

NEW SECTION. Sec. 89. There is added to chapter 82.\_\_\_\_ RCW (sections 9 through 13, chapter 7, Laws of 1983) a new section to read as follows:

(1) Any county may impose a tax, by ordinance or resolution, upon the privilege of using a vessel taxable under RCW 82.\_\_\_\_ (section 9, chapter 7, Laws of 1983) which is moored or stored in the county, if the population of the unincorporated area of the county together with the population of the cities which are parties to an interlocal agreement under chapter 39.34 RCW equal or exceed two-thirds of the total population of the county: PROVIDED, That such agreement shall take into consideration any marine patrols provided as of the effective date of this section. The annual amount of the tax shall be up to fifty cents per foot of the vessel per calendar year, or part thereof.

(2) The excise tax upon a vessel registered for the first time in this state shall be imposed for a twelve-month period, including the month in which the vessel is registered, unless the director of licensing extends or diminishes vessel registration periods for the purpose of staggered renewal periods under RCW 88.\_\_\_\_ (section 18, chapter 7, Laws of 1983). A vessel is registered for the first time in this state when the vessel was not registered in this state for the immediately preceding registration year, or when the vessel was registered in another jurisdiction for the immediately preceding year.

(3) The tax imposed under this section is due and payable to the department of licensing or its agents at the time of registration of a vessel.

(4) The moneys collected under this section shall be distributed by the county monthly to the parties to the interlocal agreement according to the terms of the agreement. Moneys collected under this section shall be used only for administration and enforcement of boating safety, search and rescue operations concerning boating, and boating patrols.

Sec. 90. Section 22, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_\_ are each amended to read as follows:

(1) A violation of this chapter is a misdemeanor punishable only by a fine not to exceed one hundred dollars per vessel for the first violation. Subsequent violations in the same year are subject to the following fines:

(a) For the second violation, a fine of two hundred dollars per vessel;

(b) For the third and successive violations, a fine of four hundred dollars per vessel.

(2) ~~After subtraction of court costs and administrative collection fees, moneys collected under this section shall be ((used by the jurisdiction collecting the fine exclusively for law enforcement purposes))~~ credited to the current expense fund of the arresting jurisdiction.

(3) All law enforcement officers shall have the authority to enforce this chapter within their respective jurisdictions.

Sec. 91. Section 84.36.080, chapter 15, Laws of 1961 as amended by section 23, chapter 7, Laws of 1983 and RCW 84.36.080 are each amended to read as follows:

All ships and vessels which are exempt from excise tax under subsection ~~((s (8) and (9) of section 16 of this 1983 act))~~ (2) of section 83 of this 1983 act and subsection (10) of RCW 88.\_\_\_\_\_, ~~section 84 of this 1983 act~~ shall be and are hereby made exempt from all ad valorem taxes, except taxes levied for any state purpose.

NEW SECTION. Sec. 92. There is added to chapter 43.51 RCW a new section to read as follows:

The state parks and recreation commission shall:

(1) Coordinate a state-wide program of boating safety education using to the maximum extent possible existing programs offered by the United States power squadron and the United States coast guard auxiliary;

(2) Adopt rules in accordance with chapter 34.04 RCW, consistent with United States coast guard regulations, standards, and precedents, as needed for the efficient administration and enforcement of this section;

(3) Develop by January 31, 1984, a state-wide inventory of marine state parks and recreational facilities operated by other state and local agencies that are available for marine-related use by persons owning boats in this state;

(4) Enter into agreements aiding the administration of this chapter;

(5) Adopt and administer a casualty and accident reporting program consistent with United States coast guard regulations;

(6) Coordinate with local and state agencies the development of biennial plans and programs for the enhancement of boating safety, safety education, and enforcement of safety rules and laws; allocate money appropriated to the commission for these programs as necessary; and accept and administer any public or private grants or federal funds which are obtained for these purposes under chapter 43.88 RCW; and

(7) Take additional actions necessary to gain acceptance of a program of boating safety for this state under the federal boating safety act of 1971.

Sec. 93. Section 6, chapter 94, Laws of 1970 ex. sess. as last amended by section 10, chapter 4, Laws of 1981 2nd ex. sess. and RCW 82.14.050 are each amended to read as follows:

The counties, metropolitan municipal corporations and cities shall contract, prior to the effective date of a resolution or ordinance imposing a sales and use tax, the administration and collection to the state department of revenue, which shall deduct a percentage amount, as provided by contract, not to exceed ~~((two))~~ one and one-half percent of the taxes collected for administration and collection expenses incurred by the department. The remainder of any portion of any tax authorized by this chapter which is collected by the department of revenue shall be deposited by the state department of revenue in the local sales and use tax account hereby created in the general fund. Moneys in the local sales and use tax account may be spent only for distribution to counties, metropolitan municipal corporations, and cities imposing a sales and use tax. All administrative provisions in chapters 82.03, 82.08, 82.12, and 82.32 RCW, as they now exist or may hereafter be amended, shall, insofar as they are applicable to state sales and use taxes, be applicable to taxes imposed pursuant to this chapter.

Sec. 94. Section 7, chapter 94, Laws of 1970 ex. sess. as last amended by section 11, chapter 4, Laws of 1981 2nd ex. sess. and RCW 82.14.060 are each amended to read as follows:

~~((Bimonthly))~~ Monthly the state treasurer shall make distribution from the local sales and use tax account to the counties, metropolitan municipal corporations and cities the amount of tax collected on behalf of each county, metropolitan municipal corporation or city, less the deduction provided for in RCW 82.14.050. The state treasurer shall make the distribution under this section without appropriation.



In the event that any ordinance or resolution imposes a sales and use tax at a rate in excess of the applicable limits contained herein, such ordinance or resolution shall not be considered void in toto, but only with respect to that portion of the rate which is in excess of the applicable limits contained herein.

Sec. 95. Section 33, chapter 7, Laws of 1983 and RCW 82.32. . . . are each amended to read as follows:

The revenue accrual account is hereby created in the state general fund. At the close of each fiscal biennium, the state treasurer shall transfer the balance in the state general fund, other than amounts reappropriated for the next fiscal biennium, to this account. Moneys in this account may only be spent after appropriation by statute for the purpose of decreasing the unfunded liability of a state retirement system.

NEW SECTION. Sec. 96. (1) If the revenue collections as of January 10, 1984, are less than \$1,141,440,000, then the rate of the business and occupation tax imposed under sections 1 and 2 of this act shall be 1.5% and the rate of the business and occupation tax imposed under sections 3 and 4 of this act shall be 15%.

(2) If the added taxes imposed by subsection (1) of this section are not imposed following the revenue collections as of January 10, 1984, and if the revenue collections as of July 10, 1984, are less than \$2,853,600,000, then the rate of the business and occupation tax imposed under sections 1 and 2 of this act shall be 1.5% and the rate of the business and occupation tax imposed under sections 3 and 4 of this act shall be 15%.

(3) As used in this section, "revenue collections" means revenues, penalties, and interest actually collected for credit to the fiscal biennium beginning July 1, 1983, for the taxes imposed under chapters 82.04, 82.08, 82.12, 82.16, 82.24, 82.26, and 82.45 RCW and RCW 28A.47.440 and deposited with the state treasurer for credit to the general fund during the period beginning July 1, 1983, and ending with the specified date.

NEW SECTION. Sec. 97. There is appropriated to the department of revenue from the general fund for the biennium ending June 30, 1985, the sum of six million two hundred fifteen thousand dollars, or so much thereof as may be necessary, to be distributed under section 67 of this act during the biennium ending June 30, 1985.

NEW SECTION. Sec. 98. The following acts or parts of acts are each repealed:

(1) Section 2, chapter 169, Laws of 1974 ex. sess., section 8, chapter 196, Laws of 1979 ex. sess., section 1, chapter 12, Laws of 1982 2nd ex. sess. and RCW 82.04.442;

(2) Section 4, chapter 169, Laws of 1974 ex. sess., section 8, chapter 291, Laws of 1975 1st ex. sess., section 1, chapter 174, Laws of 1982 and RCW 82.04.443; and

(3) Section 3, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.400.

NEW SECTION. Sec. 99. Section 20, chapter 22, Laws of 1982 1st ex. sess. and RCW 35.21.285 are each repealed.

NEW SECTION. Sec. 100. This act shall not be construed as affecting any existing right acquired or liability or obligation incurred under the sections amended or repealed in this act or under any rule, regulation, or order adopted under those sections, nor as affecting any proceeding instituted under those sections.

NEW SECTION. Sec. 101. 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. 102. (1) 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, 1983, except that:

(a) Sections 82 through 90, and 100 and 101 of this act shall take effect June 30, 1983;

(b) Sections 21, 22, 46, 47, 69, 91, and 98 of this act shall take effect January 1, 1984. Sections 46, 47, 69, 91, and 98 of this act shall be effective for property taxes levied in 1983, and due in 1984, and thereafter;

(c) Sections 1 through 4 of this act shall take effect July 1, 1983, except as provided in subsection (2) of this section; and

(d) Sections 44 and 45 of this act shall take effect as provided in subsection (3) of this section.

(2) The legislature finds that the amendments contained in sections 1 through 4 of this act constitute an integrated and inseparable entity and if any one or more of those sections does not become law, the remaining sections shall not take effect. If sections 1 through 4 of this act do not become law, the governor shall in that event reduce approved allotments under RCW 43.88.110 for the 1983-85 biennium by four percent.

(3) Sections 44 and 45 of this act shall take effect on the day either of the following events occurs, whichever is earlier:

(a) A temporary or permanent injunction or order becomes effective which prohibits in whole or in part the collection of taxes at the rates specified in section 6, chapter 7, Laws of 1983; or

(b) A decision of a court in this state invalidating in whole or in part section 6, chapter 7, Laws of 1983, becomes final."

Debate ensued.

## POINT OF INQUIRY

Senator Jones: "I have a question for the majority leader. We seem to be laboring under the misconception here that we have seen this amendment. We would like a little time to look at it. Conversation is that we are supposed to get our information from a couple of lobbyists and then vote on what they are telling us. There has been some paper floating around, but frankly, I pay very little attention to that. I only buy what we get on the floor--on our desks. We just don't know what is in it and we are interested in--even in spite of the hour--having an opportunity to look at it and see what the consequences are. I hope we could have fifteen minutes or such period of time to look at the amendment. What is it--eighty-six pages--or something like that, they tell me?"

Senator Bottiger: "Mr. President and Senator Jones, I am inclined to grant you your request for fifteen minutes. We haven't seen it either. We are not sponsoring it. I guess any member can bring out a long amendment. Basically, as Senator Owen has indicated, it is a substantial deviation from the bill that is before you. In many ways, it is identical, but there are items that he has indicated to you that are different. More than that, I don't know and don't care."

## MOTION

At 1:27 a.m., on motion of Senator Bottiger, the Senate was declared to be at ease.

The Senate was called to order at 1:35 a.m. by President Pro Tempore Goltz.

There being no objection, the Senate resumed consideration of Senate Bill No. 3909 and the pending amendment by Senator Owen to page 5, line 6, to the McDermott amendment.

Debate ensued.

Senator Bluechel demanded a roll call and the demand was sustained.

The President Pro Tempore declared the question before the Senate to be adoption of the amendment by Senator Owen to page 5, line 6, to the McDermott amendment.

## ROLL CALL

The Secretary called the roll and the motion by Senator Owen failed and the amendment to the amendment was not adopted by the following vote: Yeas, 14; nays, 25; absent, 1; excused, 9.

Voting yea: Senators Benitz, Bluechel, Craswell, Deccio, Hemstad, Jones, McCaslin, McManus, Moore, Newhouse, Owen, Patterson, Quigg, Zimmerman - 14.

Voting nay: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Guess, Hansen, Hughes, Hurley, Lee, McDermott, Peterson, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 25.

Absent: Senator Rasmussen - 1.

Excused: Senators Barr, Clarke, Fuller, Haley, Hayner, Kiskaddon, Metcalf, Pullen, von Reichbauer - 9.

## MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Sellar served notice that he would, on the next working day, move to reconsider the vote by which the amendment by Senator Owen to page 5, line 6, to the McDermott amendment failed to be adopted by the Senate.

## REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Goltz: "Senator Sellar, this is an amendment--to reconsider this amendment, you would have to reconsider it now, because the bill will not be before us on the next working day, we think. Do you wish to reconsider it now?"

Senator Sellar: "Could it be reconsidered at a later time while the bill is still before us?"

President Pro Tempore Goltz: "The very next thing is the adoption of the amendment to which this is an amendment, so it is now or never."

## MOTION

On motion of Senator Sellar, and there being no objection, the motion for reconsideration was withdrawn.

The President declared the question before the Senate to be adoption of the amendment by Senator McDermott, as amended.

The motion by Senator McDermott carried and the amendment, as amended, was adopted.

## MOTION

On motion of Senator McDermott, the following title amendments were considered and adopted simultaneously:

On page 4, line 6, after "RCW 84.36.080;" insert "adding a new section to chapter 43.06 RCW;"

AN ACT Relating to revenue and taxation; amending section 3, chapter 65, Laws of 1970 ex. sess. as amended by section 1, chapter 9, Laws of 1983 and RCW 82.04.255; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 2, chapter 9, Laws of 1983 and RCW 82.04.290; amending section 3, chapter 9, Laws of 1983 and RCW 82.04. . . . ; amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4, chapter 9, Laws of 1983 and RCW 82.04.2901; amending section 16, chapter 10, Laws of 1982 as last amended by section 1, chapter 13, Laws of 1982 2nd ex. sess. and RCW 82.04.260; amending section 31, chapter 35, Laws of 1982 1st ex. sess. as last amended by section 8, chapter 7, Laws of 1983 and RCW 82.02.030; amending section .14.02, chapter 79, Laws of 1947 as last amended by section 1, chapter 10, Laws of 1982 2nd ex. sess. and RCW 48.14.020; amending section 2, chapter 278, Laws of 1957 as last amended by section 18, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.020; amending section 6, chapter 366, Laws of 1977 ex. sess. as amended by section 19, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.025; amending section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 23, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.210; amending section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 24, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.290; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 3, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.150; amending section 82.16.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 5, Laws of 1982 2nd ex. sess. and RCW 82.16.020; amending section 82.20.010, chapter 15, Laws of 1961 as amended by section 7, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.20.010; amending section 82.24.020, chapter 15, Laws of 1961 as last amended by section 8, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.24.020; amending section 82.26.020, chapter 15, Laws of 1961 as last amended by section 9, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.26.020; amending section 2, chapter 98, Laws of 1980 as last amended by section 6, chapter . . . (SHB 233), Laws of 1983 and RCW 82.27.020; amending section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. as amended by section 11, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.29A.030; amending section 82.44.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.44.020; amending section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 14, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.45.060; amending section 82.48.010, chapter 15, Laws of 1961 as last amended by section 239, chapter 158, Laws of 1979 and RCW 82.48.010; amending section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030; amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.071; amending section 82.32.090, chapter 15, Laws of 1961 as last amended by section 32, chapter 7, Laws of 1983 and RCW 82.32.090; amending 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; amending section 6, chapter 196, Laws of 1979 ex. sess. as amended by section 80, chapter 37, Laws of 1980 and RCW 82.04.431; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 65 of this 1983 act and RCW 82.08.020; amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4 of this 1983 act and RCW 82.04.2901; amending section 6, chapter 40, Laws of 1973 2nd ex. sess. as amended by section 3, chapter 141, Laws of 1981 and RCW 84.36.800; amending section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 144, Laws of 1981 and RCW 82.04.050; amending section 82.04.060, chapter 15, Laws of 1961 and RCW 82.04.060; amending section 82.04.190, chapter 15, Laws of 1961 as last amended by section 2, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.190; amending section 82.04.460, chapter 15, Laws of 1961 as amended by section 9, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.460; amending section 82.04.470, chapter 15, Laws of 1961 as amended by section 43, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.470; amending section 3, chapter 94, Laws of 1970 ex. sess. as last amended by section 1, chapter 211, Laws of 1982 and RCW 82.14.020; amending section 82.16.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1982 2nd ex. sess. and RCW 82.16.010; amending section 6, chapter 134, Laws of 1972 ex. sess. as last amended by section 7, chapter 99, Laws of 1983 and RCW 35.21.710; amending section 7,

chapter 134, Laws of 1972 ex. sess. as amended by section 7, chapter 144, Laws of 1981 and RCW 35A.82.050; amending section 8, chapter 144, Laws of 1981 and RCW 35.21.712; amending section 9, chapter 144, Laws of 1981 and RCW 35A.82.055; amending section 10, chapter 144, Laws of 1981 and RCW 35.21.714; amending section 11, chapter 144, Laws of 1981 and RCW 35A.82.060; amending section 2, chapter 49, Laws of 1982 1st ex. sess. and RCW 35.21.860; amending section 80.04.270, chapter 14, Laws of 1961 as amended by section 5, chapter 144, Laws of 1981 and RCW 80.04.270; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 7, Laws of 1983 and RCW 82.08.020; amending section 9, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.405; amending section 82.04.100, chapter 15, Laws of 1961 as amended by section 2, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.100; amending section 82.04.330, chapter 15, Laws of 1961 as amended by section 7, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.330; amending section 39, chapter 37, Laws of 1980 as amended by section 1, chapter 5, Laws of 1982 1st ex. sess. and RCW 82.08.0273; amending section 82.04.450, chapter 15, Laws of 1961 as amended by section 42, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.450; amending section 82.12.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 1, Laws of 1975-76 2nd ex. sess. and RCW 82.12.010; amending section 6, chapter 94, Laws of 1970 ex. sess. as last amended by section 10, chapter 4, Laws of 1981 2nd ex. sess. and RCW 82.14.050; amending section 7, chapter 94, Laws of 1970 ex. sess. as last amended by section 11, chapter 4, Laws of 1981 2nd ex. sess. and RCW 82.14.060; amending section 33, chapter 7, Laws of 1983 and RCW 82.32.\_\_\_\_; amending section 9, chapter 7, Laws of 1983 and RCW 82.\_\_\_\_; amending section 15, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_; amending section 16, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_; amending section 18, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_; amending section 22, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_; amending section 84.36.080, chapter 15, Laws of 1961 as amended by section 23, chapter 8, Laws of 1983 and RCW 84.36.080; adding a new section to chapter 43.51 RCW; adding new sections to chapter 82.\_\_\_\_ RCW (sections 9 through 13, chapter 7, Laws of 1983); adding new sections to chapter 88.\_\_\_\_ RCW (sections 14 through 22, chapter 7, Laws of 1983); adding new sections to chapter 82.04 RCW; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; adding a new section to chapter 84.09 RCW; adding new sections to chapter 84.36 RCW; adding new sections to chapter 84.33 RCW; adding a new section to chapter 84.52 RCW; adding a new section to chapter 84.55 RCW; adding a new chapter to Title 84 RCW; creating new sections; repealing section 5, chapter 294, Laws of 1971 ex. sess., section 4, chapter 148, Laws of 1972 ex. sess., section 90, chapter 195, Laws of 1973 1st ex. sess., section 3, chapter 187, Laws of 1974 ex. sess., section 2, chapter 148, Laws of 1981 and RCW 84.33.050; repealing section 6, chapter 294, Laws of 1971 ex. sess., section 91, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 347, Laws of 1977 ex. sess., section 2, chapter 6, Laws of 1979 and RCW 84.33.060; repealing section 8, chapter 294, Laws of 1971 ex. sess., section 2, chapter 148, Laws of 1972 ex. sess., section 92, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 187, Laws of 1974 ex. sess., section 8, chapter 123, Laws of 1975-76 2nd ex. sess., section 3, chapter 347, Laws of 1977 ex. sess., section 3, chapter 6, Laws of 1979, section 6, chapter 4, Laws of 1981, section 1, chapter 8, Laws of 1983 and RCW 84.33.080; repealing section 9, chapter 294, Laws of 1971 ex. sess., section 3, chapter 148, Laws of 1972 ex. sess., section 3, chapter 148, Laws of 1981 and RCW 84.33.090; repealing section 20, chapter 22, Laws of 1982 1st ex. sess. and RCW 35.21.285; repealing section 2, chapter 169, Laws of 1974 ex. sess., section 8, chapter 196, Laws of 1979 ex. sess., section 1, chapter 12, Laws of 1982 2nd ex. sess. and RCW 82.04.442; repealing section 4, chapter 169, Laws of 1974 ex. sess., section 8, chapter 291, Laws of 1975 1st ex. sess., section 1, chapter 174, Laws of 1982 and RCW 82.04.443; repealing section 3, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.400; making an appropriation; providing effective dates; and declaring an emergency.

#### MOTION

On motion of Senator McDermott, the rules were suspended, Engrossed Senate Bill No. 3909 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Bauer: "Senator McDermott, I notice in sections 44 and 45--that language is stricken there--can you explain the effect of that stricken language?"

Senator McDermott: "Senator Bauer, section 101, sub (3) makes those two sections effective only if there is an injunction prohibiting collection of the taxes under the border county provisions of Senate Bill No. 3258. These sections taken together will assure that if the border county exemptions are invalidated, the tax rates will be the same statewide."

Senator Bauer: "In other words, Senator, the exemption will be in effect unless the court takes some action to the contrary?"

Senator McDermott: "That is correct, Senator Bauer."

Further debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3909.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Bill No. 3909 and the bill failed to pass the Senate by the following vote: Yeas, 23; nays, 16; absent, 1; excused, 9.

Voting yea: Senators Bauer, Bender, Boltiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurlley, McManus, Moore, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 23.

Voting nay: Senators Benitz, Bluechel, Craswell, Deccio, Guess, Hemstad, Jones, Lee, McCaslin, McDermott, Newhouse, Owen, Patterson, Quigg, Sellar, Zimmerman - 16.

Absent: Senator Rasmussen - 1.

Excused: Senators Barr, Clarke, Fuller, Haley, Hayner, Kiskaddon, Metcalf, Pullen, von Reichbauer - 9.

ENGROSSED SENATE BILL NO. 3909, having failed to receive the constitutional majority, was declared lost.

#### NOTICE FOR RECONSIDERATION

Having voted on the prevailing side, Senator McDermott served notice that he would move to reconsider the vote by which Engrossed Senate Bill No. 3909 failed to pass the Senate.

#### MOTION

At 2:07 a.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The Senate was called to order at 2:46 a.m. by President Pro Tempore Goltz.

#### MOTION

On motion of Senator McDermott, the rules were suspended and the Ways and Means Committee was relieved of further consideration of Senate Bill No. 3750.

On motion of Senator McDermott, Senate Bill No. 3750 was advanced to second reading and placed on the second reading calendar.

#### MOTION FOR RECONSIDERATION

Having served prior notice, Senator McDermott moved that the Senate now reconsider the vote by which Engrossed Senate Bill No. 3909 failed to pass the Senate.

The President Pro Tempore declared the question before the Senate to be the motion by Senator McDermott to reconsider the vote by which Engrossed Senate Bill No. 3909 failed to pass the Senate.

The motion by Senator McDermott carried and the Senate resumed consideration of Engrossed Senate Bill No. 3909 on reconsideration.

#### MOTIONS

On motion of Senator McDermott, the rules were suspended and Engrossed Senate Bill No. 3909 was returned to second reading.

On motion of Senator McDermott, the Senate immediately considered Senate Bill No. 3750.

#### SECOND READING

SENATE BILL NO. 3750, by Senators Bauer, Benitz, Hayner, Fuller, Zimmerman, Barr, Warnke, Deccio, Conner, McManus, Peterson, Craswell, Hemstad, Woody, Quigg, Jones, Guess, Owen and Hansen

Extending the timber tax and providing a credit.

The bill was read the second time.

#### MOTION

Senator Owen moved that the following amendment be adopted:

On page 1, beginning on line 9, strike all material through "immediately." on page 5, line 15, and insert the following:

"(1) Upon every person engaging within this state in business as a harvester of timber; as to such persons the amount of tax imposed with respect to such business shall be equal to the stumpage value of timber harvested for sale or for commercial or industrial use multiplied by the appropriate rate as follows:

(a) For timber harvested between ~~((October 1, 1974))~~ July 1, 1983, and June 30, ~~((1983))~~ 1985, inclusive, six and one-half percent;

(b) For timber harvested July 1, 1985, through June 30, 1986, the forest excise tax rate shall be determined by applying fifty percent of the percentage change in the average property tax rate on designated and classified forest land between the fourteen-dollar rate per thousand dollars of assessed value reflected in the department of revenue forest tax report for 1975 and the comparable figure reflected in the department of revenue forest tax report for 1984, to six and one-half percent;

(c) For timber harvested July 1, 1986, through June 30, 1987, the forest excise tax rate shall be determined as in (b) of this subsection except one hundred percent of the percentage change from the fourteen-dollar rate per thousand dollars of assessed value in 1975 when compared to the comparable figure reflected in the department of revenue forest tax report for 1985, shall be applied to six and one-half percent;

(d) For timber harvested July 1, 1987, and each year thereafter, the department of revenue shall adjust the forest excise rate by the percentage change in the average rate per thousand dollars of assessed value on designated and classified forest land for the two prior calendar years as reflected in the department of revenue forest tax report; and

(e) The forest excise tax rate for (b), (c), and (d) of this subsection shall be rounded to the nearest one-tenth of one percent."

#### PARLIAMENTARY INQUIRY

Senator Guess: "Senator McDermott moved for the reconsideration of Engrossed Senate Bill No. 3909, then all of a sudden here we are operating on Senate Bill No. 3750. Where are we?"

#### REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Goitz: "We are on Senate Bill No. 3750, Senator Guess. The motion was made to defer consideration of Engrossed Senate Bill No. 3909 and then a motion was made to consider Senate Bill No. 3750. The sequence was that Engrossed Senate Bill No. 3909 was reconsidered, moved back to second reading and at that point, Senator McDermott moved that we now consider Senate Bill No. 3750."

Debate ensued.

#### POINT OF INQUIRY

Senator Guess: "Mr. President, will someone inform me on what calendar, then, Senate Bill No. 3750 came from?"

Senator Bottiger: "Senator Guess, I am sorry that you were not here when the motions were made."

Senator Guess: "I came down as quickly as I could."

Senator Bottiger: "Perhaps you were listening to somebody else, but the committee was relieved of the bill and the bill was placed on the second reading calendar. Senator Owen has offered a striking amendment which will then be the entire bill and that is sitting on your desk."

#### MOTION

Senator Gaspard moved that the following amendment to the amendment be adopted:

On page 1, line 21, after "percent" strike all remaining language

Debate ensued.

Senator Fleming demanded a roll call and the demand was sustained.

The President Pro Tempore declared the question before the Senate to be the roll call on adoption of the amendment by Senator Gaspard to the Owen amendment.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Gaspard failed and the amendment to the amendment was not adopted by the following vote: Yeas, 11; nays, 28; absent, 1; excused, 9.

Voting yea: Senators Bottiger, Fleming, Gaspard, Hughes, Hurley, McDermott, Rinehart, Shinpoch, Talmadge, Williams, Wojahn - 11.

Voting nay: Senators Bauer, Bender, Benitz, Bluechel, Conner, Craswell, Deccio, Goltz, Granlund, Guess, Hansen, Hemstad, Jones, Lee, McCaslin, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Sellar, Thompson, Vognild, Warnke, Woody, Zimmerman - 28.

Absent: Senator Rasmussen - 1.

Excused: Senators Barr, Clarke, Fuller, Haley, Hayner, Kiskaddon, Metcalf, Pullen, von Reichbauer - 9.

The President Pro Tempore declared the question before the Senate to be adoption of the amendment by Senator Owen.

The motion by Senator Owen carried and the amendment was adopted.

#### MOTION

On motion of Senator McDermott, the rules were suspended, Engrossed Senate Bill No. 3750 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3750.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Bill No. 3750 and the bill passed the Senate by the following vote: Yeas, 28; nays, 11; absent, 1; excused, 9.

Voting yea: Senators Bauer, Bender, Benitz, Bluechel, Conner, Craswell, Deccio, Goltz, Granlund, Guess, Hansen, Hemstad, Jones, Lee, McCaslin, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Sellar, Thompson, Vognild, Warnke, Woody, Zimmerman - 28.

Voting nay: Senators Bottiger, Fleming, Gaspard, Hughes, Hurley, McDermott, Rinehart, Shinpoch, Talmadge, Williams, Wojahn - 11.

Absent: Senator Rasmussen - 1.

Excused: Senators Barr, Clarke, Fuller, Haley, Hayner, Kiskaddon, Metcalf, Pullen, von Reichbauer - 9.

ENGROSSED SENATE BILL NO. 3750, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Senator McDermott, the Senate resumed consideration of Engrossed Senate Bill No. 3909 which had been returned to second reading, after reconsideration earlier.

On motion of Senator McDermott, the Senate reconsidered the vote by which his amendment to Senate Bill No. 3909 was adopted.

On motion of Senator McDermott, the following amendment to his amendment was adopted:

On page 23, line 31, strike all of section 23 and renumber accordingly.

The President Pro Tempore declared the question before the Senate to be adoption of the McDermott amendment, as amended, on reconsideration.

The McDermott amendment, as amended on reconsideration, was adopted.

#### POINT OF INQUIRY

Senator Patterson: "I would like to ask a question. Now that we have taken the timber tax out of this tax measure, Senator McDermott, what is the current status of the timber tax in the state in the event that Senate Bill No. 3750 fails to pass the legislature?"

Senator McDermott: "There will be no timber tax."

Senator Patterson: "None at all?"

Senator McDermott: "None at all. The ideal position for the timber companies. In fact, their favorite position, I have understood."

Senator Patterson: "I am certainly glad I asked the question, because it is obvious that you have taken out any reference, under law, as to timber taxation. I was wondering if that wouldn't be your answer, Senator McDermott, which makes it kind of important that Senate Bill No. 3750 pass the legislature."

Senator McDermott: "It is only a temporary hesitation on the way to no taxation on the timber companies, any way, Senator Patterson."

## MOTIONS

On motion of Senator McDermott, the following title amendment was adopted:

On page 2 of the title, line 16, after "RCW 82.48.030;" strike all the material through "RCW 84.33.071;" on page 18

On motion of Senator McDermott, the rules were suspended, Reengrossed Senate Bill No. 3909 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Reengrossed Senate Bill No. 3909.

## ROLL CALL

The Secretary called the roll on final passage of Reengrossed Senate Bill No. 3909 and the bill passed the Senate by the following vote: Yeas, 25; nays, 14; absent, 1; excused, 9.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McDermott, McManus, Moore, Owen, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 25.

Voting nay: Senators Benitz, Bluechel, Craswell, Deccio, Guess, Hemstad, Jones, Lee, McCaslin, Newhouse, Patterson, Quigg, Sellar, Zimmerman - 14.

Absent: Senator Rasmussen - 1.

Excused: Senators Barr, Clarke, Fuller, Haley, Hayner, Kiskaddon, Metcalf, Pullen, von Reichbauer - 9.

REENGROSSED SENATE BILL NO. 3909, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand at the title of the act.

## MOTION

At 3:09 a.m., on motion of Senator Shinpoch, the Senate adjourned until 10:00 a.m., Monday, May 16, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.



## TWENTY-SECOND DAY

---

### MORNING SESSION

---

Senate Chamber, Olympia, Monday, May 16, 1983

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Barr, Bauer, Bender, Deccio, Fleming, Hughes, Hurley, Lee, McCaslin, McDermott, McManus, Thompson and Woody. On motion of Senator Vognild, Senators Fleming, Hughes, McDermott and McManus were excused. On motion of Senator Bluechel, Senators Barr, Deccio, Lee and McCaslin were excused.

The Sergeant at Arms Color Guard, consisting of Pages Julie Sullivan and Erleen Anderson, presented the Colors. Reverend James H. Blundell, rector of St. John's Episcopal Church of Olympia, offered the prayer.

#### MOTION

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

#### SIGNED BY THE PRESIDENT

The President signed:  
SENATE BILL NO. 3090.

#### MESSAGE FROM THE GOVERNOR

May 14, 1983

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise you that on May 14, 1983, Governor Spellman approved the following Senate Bills entitled:

Substitute Senate Bill No. 3520

Relating to elections.

Substitute Senate Bill No. 3628

Relating to shellfish.

Sincerely,

MARILYN SHOWALTER, Counsel to the Governor

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENT

#### MOTION

On motion of Senator Warnke, the appointment of Cameron Sherwood as a member of the Personnel Appeals Board was confirmed.

#### APPOINTMENT OF CAMERON SHERWOOD

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 36; absent, 5; excused, 8.

Voting yea: Senators Benitz, Bluechel, Boltiger, Clarke, Conner, Craswell, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Zimmerman - 36.

Absent: Senators Bauer, Bender, Hurley, Thompson, Woody - 5.

Excused: Senators Barr, Deccio, Fleming, Hughes, Lee, McCaslin, McDermott, McManus - 8.

#### MOTION

At 10:12 a.m., on motion of Senator Shinpoch, the Senate recessed until 2:00 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

## MOTION

At 2:04 p.m., on motion of Senator Boltiger, the Senate adjourned until 1:30 p.m., Tuesday, May 17, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

**TWENTY-THIRD DAY**

AFTERNOON SESSION

Senate Chamber, Olympia, Tuesday, May 17, 1983

The Senate was called to order at 1:30 p.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Bauer, Deccio, Granlund, Hemstad, Hurley, Kiskaddon, McDermott, Owen, Rasmussen, Sellar, Shinpoch and Warnke. On motion of Senator Vognild, Senators Hurley, McDermott, Owen and Shinpoch were excused.

The Sergeant at Arms Color Guard, consisting of Pages Linda Siefert and Bill Morse, presented the Colors. Reverend James H. Blundell, rector of St. John's Episcopal Church of Olympia, offered the prayer.

MOTION

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

MESSAGES FROM THE HOUSE

May 14, 1983

Mr. President:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 234, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 13, 1983

Mr. President:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 251,

HOUSE BILL NO. 1094, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 16, 1983

Mr. President:

The Speaker has signed:

SENATE BILL NO. 3090, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE HOUSE BILL NO. 234,

SUBSTITUTE HOUSE BILL NO. 251,

HOUSE BILL NO. 1094.

MOTION

At 1:37 p.m., on motion of Senator Bottiger, the Senate adjourned until 1:30 p.m., Wednesday, May 18, 1983.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## TWENTY-FOURTH DAY

---

### AFTERNOON SESSION

---

Senate Chamber, Olympia, Wednesday, May 18, 1983

The Senate was called to order at 1:30 p.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Deccio, Fuller, Granlund, Hayner, Hemstad, Hurley, Owen, Pullen, Sellar and von Reichbauer. On motion of Senator Bluechel, Senators Deccio, Hayner, Hemstad, Pullen and von Reichbauer were excused. On motion of Senator Vognild, Senators Granlund, Hurley and Owen were excused. On motion of Senator Jones, Senator Fuller was excused.

The Sergeant at Arms Color Guard, consisting of Pages David Mattson and Kelli Imler, presented the Colors. Reverend James H. Blundell, rector of St. John's Episcopal Church of Olympia, offered the prayer.

#### MOTION

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

#### MESSAGE FROM THE GOVERNOR

May 17, 1983

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise you that on May 16, 1983, Governor Spellman approved the following Senate Bills entitled:

Senate Bill No. 3026

Relating to radioactive or hazardous waste.

Substitute Senate Bill No. 3055

Relating to the electrical construction trade.

Substitute Senate Bill No. 3087

Relating to unemployment insurance.

Substitute Senate Bill No. 3088

Relating to cosmetology.

Senate Bill No. 3123

Relating to motor vehicles.

Substitute Senate Bill No. 3124

Relating to Washington health care facilities authority.

Substitute Senate Bill No. 3127

Relating to industrial insurance.

Senate Bill No. 3134

Relating to special funds.

Senate Bill No. 3142

Relating to financial disclosures of public treasurers.

Substitute Senate Bill No. 3166

Relating to fees of notaries public.

Senate Bill No. 3203

Relating to motor vehicles.

Senate Bill No. 3224

Relating to heating systems and services.

Senate Bill No. 3393

Relating to the state militia.

Senate Bill No. 3442

Relating to domestic relations.

Senate Bill No. 3448

Relating to tuition and fees for institutions of higher education.

Substitute Senate Bill No. 3453

Relating to institutions of higher education.

Senate Bill No. 3492  
 Relating to higher education.  
Senate Bill No. 3501  
 Relating to interpreters in legal proceedings.  
Substitute Senate Bill No. 3522  
 Relating to property tax levies.  
Senate Bill No. 3532  
 Relating to community colleges.  
Substitute Senate Bill No. 3811  
 Relating to local government housing authorities.  
Senate Bill No. 3840  
 Relating to state employees' deferred compensation.  
Substitute Senate Bill No. 4066  
 Relating to consumer finance companies.  
Substitute Senate Bill No. 4101  
 Relating to horse racing.  
Senate Bill No. 4103  
 Relating to basic education.  
Senate Bill No. 4153  
 Relating to veterans.  
Senate Bill No. 3392  
 Relating to electrical utility installation.

Sincerely,  
 MARILYN SHOWALTER, Counsel to the Governor

MESSAGES FROM THE HOUSE

May 17, 1983

Mr. President:  
 The House concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 235 and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

May 17, 1983

Mr. President:  
 The House has passed:  
 ENGROSSED SENATE BILL NO. 3760, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 17, 1983

Mr. President:  
 The House has passed:  
 SUBSTITUTE HOUSE BILL NO. 51, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 17, 1983

Mr. President:  
 The House has passed:  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 52, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 10, 1983

Mr. President:  
 The House has passed:  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 466, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 13, 1983

Mr. President:  
 The House has passed:  
 SECOND SUBSTITUTE HOUSE BILL NO. 693, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## SIGNED BY THE PRESIDENT

The President signed:  
SENATE BILL NO. 3760.

## MOTION

On motion of Senator Bluechel, Senator Sellar was excused.

## CONFIRMATION OF GUBERNATORIAL APPOINTMENT

## MOTION

On motion of Senator Warnke, the appointment of Richard A. Stablein as executive director of the Data Processing Authority was confirmed.

## APPOINTMENT OF RICHARD A. STABLEIN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 42; absent, 1; excused, 6.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Guess, Haley, Hansen, Hayner, Hughes, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 42.

Absent: Senator Bauer - 1.

Excused: Senators Granlund, Hemstad, Hurley, Pullen, Sellar, von Reichbauer - 6.

## MOTION

At 1:40 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 2:30 p.m.

There being no objection, the President returned the Senate to the fourth order of business.

## MESSAGE FROM THE HOUSE

May 18, 1983

Mr. President:

The Speaker has signed:

SENATE BILL NO. 3760, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 17, 1983

Mr. President:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 235, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE HOUSE BILL NO. 235.

## MOTION

On motion of Senator Shinpoch, the Senate advanced to the fifth order of business.

## INTRODUCTION AND FIRST READING OF HOUSE BILL

SHB 51 by Committee on Ways and Means (originally sponsored by Representatives Grimm, Cantu, McMullen, Ristuben, Miller, Sayan, Stratton, Nealey, Powers, Appelwick, Locke, Holland, Zellinsky, Isaacson, Braddock, P. King, Haugen, Wang, Sutherland, Addison, Walk, Struthers, R. King, Garrett, Belcher, D. Nelson, O'Brien, Hine, Tanner,

Smith, Dickie, West, Todd, Moon and Armstrong) (by Governor Spellman request)

Providing for postretirement adjustments.

#### MOTIONS

On motion of Senator Shipoch, the rules were suspended. Substitute House Bill No. 51 was advanced to second reading and read the second time.

On motion of Senator Shipoch, the rules were suspended. Substitute House Bill No. 51 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Substitute House Bill No. 51.

#### ROLL CALL

The Secretary called the roll on final passage of Substitute House Bill No. 51 and the bill passed the Senate by the following vote: Yeas, 40; nays, 3; absent, 1; excused, 5.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Guess, Haley, Hansen, Hayner, Hemstad, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Shipoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 40.

Voting nay: Senators Craswell, Jones, McCaslin - 3.

Absent: Senator Hughes - 1.

Excused: Senators Granlund, Hurley, Pullen, Sellar, von Reichbauer - 5.

SUBSTITUTE HOUSE BILL NO. 51, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### INTRODUCTION AND FIRST READING OF HOUSE BILL

2SHB 693 by Committee on Ways and Means (originally sponsored by Representatives D. Nelson, Allen, Miller, Charnley, Rust, Burns, Jacobsen, Kreidler, Appelwick, Brekke and Hine)

Permitting transfers of moneys in the institutional loan fund.

#### MOTIONS

On motion of Senator Shipoch, the rules were suspended. Second Substitute House Bill No. 693 was advanced to second reading and read the second time.

On motion of Senator Shipoch, the rules were suspended. Second Substitute House Bill No. 693 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Rasmussen: "Senator McDermott, these funds are derived from, as I understand, associated student's tuition fees."

Senator McDermott: "That is correct."

Senator Rasmussen: "Why wouldn't it be feasible to either refund or reduce these fees? Now, I know a lot of students that find it difficult to pay the fees that are in there and are working their way through. They are not getting any help. I would think that this would be a much better approach than just to say 'here we got a big pie and it is too big for our use, let's just give it away.' Why not reduce the fees to the students?"

Senator McDermott: "Senator Rasmussen, the original tuition increase was set up to set up, at least in part, the loan fund that we are keeping intact. Four million dollars will still be available for loans. The seven million dollars that is going to operations is really to enhance the education that the students are buying. I suppose that you could give everybody fifty bucks or a hundred bucks back, but in the long run, I think they would prefer to have it used to make the class sizes smaller."

Senator Rasmussen: "I am not sure about that. I think they would appreciate the fifty or hundred dollars back much better. I suppose there is nothing I can do about it. That is a suggestion for the future and that you take a good look at it."

Senator McDermott: "Senator Rasmussen, there is a bill which Senator Rinehart has been working on which I think ultimately ought to reexamine the level of tuition we charge in this state. I hope in the next session we can deal with it directly."

The President declared the question before the Senate to be the roll call on final passage of Second Substitute House Bill No. 693.

#### ROLL CALL

The Secretary called the roll on final passage of Second Substitute House Bill No. 693 and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; excused, 5.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 43.

Voting nay: Senator Rasmussen - 1.

Excused: Senators Granlund, Hurley, Pullen, Sellar, von Reichbauer - 5.

SECOND SUBSTITUTE HOUSE BILL NO. 693, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 2:48 p.m., on motion of Senator Shinpoch, the Senate adjourned until 11:00 a.m., Thursday, May 19, 1983.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.



## TWENTY-FIFTH DAY

---

### MORNING SESSION

---

Senate Chamber, Olympia, Thursday, May 19, 1983

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Bauer, Hurley, Newhouse and Quigg. On motion of Senator Bluechel, Senators Newhouse and Quigg were excused. On motion of Senator Vognild, Senators Bauer and Hurley were excused.

The Sergeant at Arms Color Guard, consisting of Pages Ted Peterson and Julie Sullivan, presented the Colors. Reverend James H. Blundell, rector of St. John's Episcopal Church of Olympia, offered the prayer.

### MOTION

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

### MESSAGE FROM THE GOVERNOR

May 18, 1983

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise you that on May 17, 1983, Governor Spellman approved the following Senate Bills entitled:

Substitute Senate Bill No. 3022

Relating to compensation of crime victims.

Substitute Senate Bill No. 3034

Relating to consumer protection.

Substitute Senate Bill No. 3035

Relating to public works.

Substitute Senate Bill No. 3068

Relating to donated food.

Senate Bill No. 3145

Relating to special fuel taxation.

Substitute Senate Bill No. 3156

Relating to Puget Sound water quality.

Senate Bill No. 3184

Relating to statutory construction.

Substitute Senate Bill No. 3217

Relating to salmon fishing.

Substitute Senate Bill No. 3253

Relating to abused persons.

Senate Bill No. 3255

Relating to toll facilities.

Senate Bill No. 3297

Relating to the department of agriculture.

Substitute Senate Bill No. 3308

Relating to insurance.

Substitute Senate Bill No. 3363

Relating to port districts.

Senate Bill No. 3426

Relating to homesteads.

Substitute Senate Bill No. 3480

Relating to industrial insurance for entertainers or musicians.

Substitute Senate Bill No. 3483

Relating to oil and gas conservation.

Substitute Senate Bill No. 3494

Relating to small claims.

Substitute Senate Bill No. 3497

Relating to passenger motor vehicles fueled by propane gas.

Senate Bill No. 3523

Relating to corrections.

Senate Bill No. 3531

Relating to higher education.

Senate Bill No. 3535

Relating to beverage containers.

Senate Bill No. 3537

Relating to firefighters.

Senate Bill No. 3585

Relating to harbor areas.

Substitute Senate Bill No. 3595

Relating to veterans.

Substitute Senate Bill No. 3614

Relating to public lands.

Substitute Senate Bill No. 3630

Relating to irrigation districts.

Substitute Senate Bill No. 3637

Relating to declaratory judgments on bond issues.

Substitute Senate Bill No. 3640

Relating to residential landlord-tenant relationships.

Substitute Senate Bill No. 3642

Relating to charitable solicitations.

Senate Bill No. 3644

Relating to higher education.

Substitute Senate Bill No. 3646

Relating to juvenile offenders.

Substitute Senate Bill No. 3657

Relating to state owned armories.

Substitute Senate Bill No. 3664

Relating to water quality.

Senate Bill No. 3674

Relating to pollution control.

Substitute Senate Bill No. 3757

Relating to nursing homes.

Senate Bill No. 3763

Relating to guardians.

Substitute Senate Bill No. 3782

Relating to firearms.

Substitute Senate Bill No. 3812

Relating to local government.

Senate Bill No. 3843

Relating to geographic names.

Senate Bill No. 3846

Relating to impoundment of motor vehicles.

Substitute Senate Bill No. 3880

Relating to education.

Senate Bill No. 4082

Relating to prisoner fines and costs and sentences.

Substitute Senate Bill No. 4107

Relating to litter control and recycling.

Senate Bill No. 4112

Relating to vehicle size and load.

Substitute Senate Bill No. 4135

Relating to state institutions.

Senate Bill No. 4156

Relating to game fish license.

Substitute Senate Bill No. 4226

Relating to tree fruit.

Substitute Senate Bill No. 3067

Relating to motor vehicle and special fuels.

Sincerely,

MARILYN SHOWALTER, Counsel to the Governor

MESSAGE FROM THE HOUSE

May 18, 1983

Mr. President:

The House concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 296 and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

MESSAGE FROM THE HOUSE

May 17, 1983

Mr. President:

The House insists on its position regarding SECOND SUBSTITUTE SENATE BILL NO. 3155 and asks the Senate for a conference thereon, and the Speaker has appointed the following members as conferees: Representatives Heck, Sommers and McDonald.

DEAN R. FOSTER, Chief Clerk

MOTION

On motion of Senator Shinpoch, the request of the House for a conference on Second Substitute Senate Bill No 3155 was granted.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Second Substitute Senate Bill No. 3155 and the House amendments thereto: Senators Gaspard, Talmadge and Patterson.

MOTION

On motion of Senator Shinpoch, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

May 18, 1983

Mr. President:

The House adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3864 and passed the bill as recommended by the Conference Committee, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

May 17, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred, ENGROSSED SUBSTITUTE SENATE BILL NO. 3864, relating to commodity commissions, have had the same under consideration, and we recommend that the following amendments be adopted and that the bill, as amended, do pass:

On page 2, after line 11, add a new section as follows:

"Sec. 2. Section 3, chapter 33, Laws of 1971 ex. sess. and RCW 15.13.270 are each amended to read as follows:

The provisions of this chapter relating to licensing shall not apply to persons making casual or isolated sales or for each place of business where gross sales do not exceed five hundred dollars per year, nor to any garden club or charitable nonprofit association conducting not more than three sales per year for not more than four consecutive days each of horticultural plants as defined in RCW 15.13.250 and which are grown by or donated to its members: PROVIDED, That such club or association shall apply to the director for a permit to conduct such sale. A two dollar fee shall be assessed for such permit.

All horticultural plants sold under such a permit issued by the director shall be subject to all the other provisions of this chapter except licensing as set forth herein."

Renumber the remaining sections consecutively.

On page 2, line 19, after "dollars" insert "except there shall be no license fee for each place of business where gross sales do not exceed five hundred dollars per year"

On page 5, beginning on line 2, strike all material through "thereunder," on line 27

On page 1, line 8, of the title, after "RCW:" insert "and" and beginning on line 9 of the title after "15.13.330" strike all material through "69.04.398" on line 10

On page 1, line 5 of the title, after "15.13.280;" insert "amending section 3, chapter 33, Laws of 1971 ex. sess. and RCW 15.13.270;"

and declaring an emergency."

Signed by: Senators Hansen, Benitz and Goltz; Representatives Kaiser, Ellis and Smith.

#### MOTION

On motion of Senator Hansen, the Report of the Conference Committee on Engrossed Substitute Senate Bill No. 3864 was adopted.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 3864, as amended by the Conference Committee.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 3864, as amended by the Conference Committee, and the bill passed the Senate by the following vote: Yeas, 40; nays, 4; absent, 1; excused, 4.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, McDermott, Metcalf, Moore, Owen, Patterson, Peterson, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody - 40.

Voting nay: Senators Craswell, McCaslin, Pullen, Zimmerman - 4.

Absent: Senator McManus - 1.

Excused: Senators Bauer, Hurley, Newhouse, Quigg - 4.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3864, as amended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 11:17 a.m., on motion of Senator Shinpoch, the Senate recessed until 2:00 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

#### MOTION

At 2:04 p.m., on motion of Senator Shinpoch, the Senate recessed until 4:00 p.m.

#### SECOND AFTERNOON SESSION

The President called the Senate to order at 4:00 p.m.

#### MOTION

At 4:00 p.m., on motion of Senator Shinpoch, the Senate adjourned until 10:00 a.m., Friday, May 20, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

**TWENTY-SIXTH DAY**

---

MORNING SESSION

---

Senate Chamber, Olympia, Friday, May 20, 1983

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Hurley. On motion of Senator Shinpoch, Senator Hurley was excused.

The Sergeant at Arms Color Guard, consisting of Pages Janet Christensen and Deanna Niemeyer presented the Colors. Reverend James H. Blundell, rector of St. John's Episcopal Church of Olympia, offered the prayer.

MOTION

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

MESSAGE FROM THE GOVERNOR

May 19, 1983

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise you that on May 19, 1983, Governor Spellman approved the following Senate Bills entitled:

Substitute Senate Bill No. 3079

Relating to local government insurance.

Senate Bill No. 3413

Relating to nonresident camping fees surcharge.

Substitute Senate Bill No. 3490

Relating to local boards of health.

Second Substitute Senate Bill No. 3624

Relating to conservation.

Substitute Senate Bill No. 3660

Relating to social and health services.

Substitute Senate Bill No. 3817

Relating to search and seizure.

Sincerely,

MARILYN SHOWALTER, Counsel to the Governor

MESSAGES FROM THE HOUSE

May 19, 1983

Mr. President:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 307, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 20, 1983

Mr. President:

The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 3864, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 3864.

## MOTION

On motion of Senator Shinpoch, the Senate advanced to the eighth order of business.

## MOTION

On motion by Senator Thompson, the following resolution was adopted:  
SENATE RESOLUTION 1983-79

By Senators Thompson and Sellar

WHEREAS, International and domestic trade is important to the economic health of the Pacific Northwest; and

WHEREAS, The Columbia/Snake river system is the major transportation route for Washington-produced products, including grain, forest products, and manufactured goods, moving to international markets; and

WHEREAS, The volume of cargo moving on the Columbia/Snake river system amounted to more than thirty million tons in 1982 and has the potential to triple by the end of this century; and

WHEREAS, For the river system to meet its full potential by the year 2000, the bar crossing at the mouth of the Columbia river must be deepened to fifty-five feet to make it compatible with the forty foot channel that extends one hundred ten miles from Ilwaco to Vancouver; and

WHEREAS, The United States Army Corps of Engineers has determined an 11.1 to 1 benefits-to-cost ratio for the deepening of the mouth of the Columbia river project; and

WHEREAS, Deepening of the mouth of the Columbia river would enhance navigational safety and prevent ship time delays at the bar; and

WHEREAS, The completion of this project would make Washington's Columbia river ports more competitive in attracting waterborne commerce in the future;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington:

(1) That the Congress of the United States be urged to appropriate funds to complete the United States Army Corps of Engineers' recommended deepening of the mouth of the Columbia river to fifty-five feet at the bar crossing; and

(2) That the Congress of the United States also be urged to move ahead on authorization of this project; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately forwarded 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 and each member of Congress from the State of Washington.

## MOTIONS

Senator Newhouse moved that the Committee on Education be relieved of the twenty-five higher education gubernatorial appointments and that they be placed on the second reading calendar.

At 10:11 a.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 10:46 a.m.

## MOTION

At 10:46 a.m., on motion of Senator Shinpoch, the Senate recessed until 2:00 p.m.

## AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

## MOTION

At 2:00 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 4:45 p.m.

## MOTION

On motion of Senator Shinpoch, the Senate reverted to the fourth order of business.

## MESSAGE FROM THE HOUSE

May 19, 1983

Mr. President:  
 The Speaker has signed:  
 SUBSTITUTE HOUSE BILL NO. 51,  
 SUBSTITUTE HOUSE BILL NO. 296,  
 SECOND SUBSTITUTE HOUSE BILL NO. 693, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## SIGNED BY THE PRESIDENT

The President signed:  
 SUBSTITUTE HOUSE BILL NO. 51,  
 SUBSTITUTE HOUSE BILL NO. 296,  
 SECOND SUBSTITUTE HOUSE BILL NO. 693.

## MOTION

At 4:49 p.m., on motion of Senator Shipoch, the Senate recessed until 7:30 p.m.

## EVENING SESSION

The President called the Senate to order at 7:30 p.m.

## MOTIONS

On motion of Senator Bottiger, the Senate advanced to the eighth order of business.

On motion of Senator Zimmerman, Senators Benitz, Metcalf, Quigg and von Reichbauer were excused.

## MOTION

Senator McDermott moved adoption of the following resolution by Senators McDermott and Bottiger:

## SENATE RESOLUTION 1983-77

By Senators McDermott and Bottiger

WHEREAS, The state provides insurance benefits, including health, dental, life, and long-term disability insurance to its employees and the employees of school districts through biennial appropriations for premium payments; and

WHEREAS, This insurance coverage is entirely negotiated and administered by the state employees' insurance board under the provisions of chapter 41.05 RCW; and

WHEREAS, The amount of premium payments per employee has increased more than eighty-five percent since 1981; and

WHEREAS, The appropriated premium payments per employee have been subsidized through refunds received as a result of favorable claims experience since 1978;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That an interim committee on insurance benefits be established to review the following subjects:

(1) The insurance coverage provided by the state and the respective school districts;

(2) Other types of insurance coverage available;

(3) Additional aspects of the current insurance coverage that may be appropriate; and

(4) The function of the state employees' insurance board; and

BE IT FURTHER RESOLVED, That the membership of the interim committee on insurance benefits shall consist of four members of the senate majority caucus, including the chairman of the senate committee on ways and means who shall be the chairman of the interim committee on insurance benefits, and three members of the senate minority caucus; and

BE IT FURTHER RESOLVED, That the interim committee on insurance benefits shall present its recommendations to the senate not later than January 16, 1985; and

BE IT FURTHER RESOLVED, That with the prior approval of the senate committee on facilities and operations, meetings of the interim committee on insurance benefits may be held without the city of Olympia; that the expenses incurred by the members of the committee for subsistence and travel shall be paid by the senate; and that the staff of the interim committee shall be provided from the existing staff of the senate; and

BE IT FURTHER RESOLVED, That any expenses incurred by the committee for technical resources or consultation, or both, properly shall be an expense payable by the department of personnel under RCW 41.05.030(2).

#### POINT OF INQUIRY

Senator Deccio: "Senator McDermott, can you give us some idea of how this study is going to be structured? As you know, I am quite interested in this issue. Could you give us a little background on what the thinking is behind conducting the study?"

Senator McDermott: "Senator Deccio, several years ago we spent about eighty dollars per individual on health care benefits. We are now going to be--tonight-- up over a one hundred fifty-nine dollars per person, per month. What we are going to look at is, what the areas have been and which increases have incurred and ways we can control those costs or what kind of changes we need to have in our policies to make it possible for us to stay with a reasonable health care package. At the same time, not continually adding the money that we have added during the last three or four bienniums."

Senator Shinpoch demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on adoption of Senate Resolution 1983-77.

#### ROLL CALL

The Secretary called the roll and Senate Resolution 1983-77 was adopted by the following vote: Yeas, 35; absent, 9; excused, 5.

Voting yea: Senators Barr, Bauer, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, McCaslin, McDermott, Newhouse, Patterson, Peterson, Rasmussen, Sellar, Shinpoch, Talmadge, Vognild, Wojahn, Woody, Zimmerman - 35.

Absent: Senators Bender, McManus, Moore, Owen, Pullen, Rinehart, Thompson, Warnke, Williams - 9.

Excused: Senators Benitz, Hurley, Metcalf, Quigg, von Reichbauer - 5.

#### MOTIONS

Senator Haley moved that the Senate immediately consider Senate Resolution 1983-38.

Senator Bottiger moved that further consideration of Senate Resolution, 1983-38 be deferred and that the resolution be placed on the calendar after Senate Resolution 1983-89.

Senator Haley demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be roll call on the motion by Senator Bottiger to defer consideration of Senate Resolution No. 1983-38 until after Senate Resolution 1983-89.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Bottiger carried by the following vote: Yeas, 19; nays, 12; absent, 13; excused, 5.

Voting yea: Senators Bauer, Bottiger, Clarke, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hayner, Hughes, Jones, McDermott, Peterson, Shinpoch, Talmadge, Vognild, Wojahn, Woody - 19.

Voting nay: Senators Barr, Craswell, Deccio, Fuller, Guess, Haley, Hemstad, Kiskaddon, McCaslin, Rasmussen, Sellar, Zimmerman - 12.

Absent: Senators Bender, Bluechel, Lee, McManus, Moore, Newhouse, Owen, Patterson, Pullen, Rinehart, Thompson, Warnke, Williams - 13.

Excused: Senators Benitz, Hurley, Metcalf, Quigg, von Reichbauer - 5.

#### MOTION

On motion of Senator Bottiger, the following resolution was adopted:



## SENATE RESOLUTION 1983-89

By Senators Bottiger, Fleming, Jones and Hayner

WHEREAS, The student congress provides fundamental insights into our political process; and

WHEREAS, The student congress provides a unique and valuable learning experience for students enabling the students to actually participate in governmental processes; and

WHEREAS, Participation in the student congress, by teaching the students the fundamental principles of our democratic system, helps create the future leaders of our society; and

WHEREAS, Many legislators, through programs such as the student congress, received their initial learning experiences about legislative procedures;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That the student congress be commended for the invaluable experiences provided to the youth and future leaders of our state; and

BE IT FURTHER RESOLVED, That the student congress be permitted to use the Senate chambers during December 9 and 10, 1983, if feasible.

## MOTION

Senator Haley moved adoption of the following resolution:

## SENATE RESOLUTION 1983-38

By Senators Rasmussen and Haley

WHEREAS, The Lakewood-Parkland Sewer Project U.L.I.D. 73-1 has created great controversy and local unrest; and

WHEREAS, The cost estimate for completion of the project has risen over five times the original 1973 estimate of \$43 million; and

WHEREAS, There are major questions concerning who will pay for the project; and

WHEREAS, The completion of the project would require an average property owner assessment exceeding \$2500, plus a \$1000 hookup fee, plus a permanent \$20 monthly sewer charge; and

WHEREAS, The Washington State Department of Ecology has invested \$6 million into the project to date, and an additional \$14 million has been committed to the project during the next three years; and

WHEREAS, The Washington State Department of Ecology has declared no construction management or scheduling plan exists at this time for the project; and

WHEREAS, Questions concerning companies presently holding engineering contracts for the project and possible conflict of interest by their former employees have been raised; and

WHEREAS, Numerous citizen groups have challenged the scope and need for the project; and

WHEREAS, It has been determined septic tanks are functioning without polluting ground waters in most local areas of Lakewood-Parkland; and

WHEREAS, Less costly alternatives exist to meet Lakewood-Parkland sewer needs; and

WHEREAS, Questions have been raised concerning the Pierce County Councils' activities in setting the assessment rolls and the accuracy of these rolls; and

WHEREAS, The affected property owners have not been given the opportunity to vote on the sewer project, and the Pierce County Prosecuting Attorney's Office has denied the citizens of Pierce County the right of initiative;

NOW, THEREFORE, BE IT RESOLVED by the Senate of the State of Washington, That the Legislative Budget Committee investigate the economic impact, cost over-run estimates, administrative obstacles, and need for the Lakewood-Parkland Sewer Project U.L.I.D. 73-1, invoke the powers of subpoena where necessary, and report its findings to the legislature by March 1, 1984.

Debate ensued.

## MOTION

At 7:56 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 8:12 p.m.

#### MOTIONS

On motion of Senator Zimmerman, Senator Pullen was excused.

On motion of Senator Shinpoch, the Senate reverted to the sixth order of business.

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENT

##### MOTION

On motion of Senator Granlund, the appointment of Philip R. Wittman as a member of the Board of Prison Terms and Paroles was confirmed.

##### APPOINTMENT OF PHILIP R. WITTMAN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 42; absent, 1; excused, 6.

Voting yeas: Senators Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, Wanke, Williams, Wojahn, Woody, Zimmerman - 42.

Absent: Senator Barr - 1.

Excused: Senators Benitz, Hurley, Metcalf, Pullen, Quigg, von Reichbauer - 6.

There being no objection, the President returned the Senate to the fourth order of business.

#### MESSAGE FROM THE HOUSE

May 20, 1983

Mr. President:

The House refuses to concur in the Senate amendments to ENGROSSED HOUSE BILL NO. 1079 and asks the Senate to recede therefrom.

DEAN R. FOSTER, Chief Clerk

#### MOTIONS

On motion of Senator McDermott, the rules were suspended, Engrossed House Bill No. 1079 was returned to second reading and read the second time.

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

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A budget is hereby adopted and, subject to the provisions set forth in the following sections, the several amounts specified in the following sections, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages, and other expenses of the agencies and 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.

#### INDEX

Accountancy Board, sec. 34  
 Administrative Hearings Office, sec. 48  
 Administrator for the Courts, sec. 11  
 Agriculture Department, sec. 90  
 Archaeology and Historic Preservation Office, sec. 84  
 Arts Commission, sec. 128  
 Asian-American Affairs Commission, sec. 17  
 Attorney General, sec. 21  
 Blind Commission, sec. 75  
 Boxing Commission, sec. 35  
 Cemetery Board, sec. 36  
 Central Washington University, sec. 121  
 Claims, Belated, sec. 139  
 Claims, Sundry, sec. 140  
 Columbia River Gorge Commission, sec. 79  
 Commerce and Economic Development Department, sec. 86  
 Community College Education Board, sec. 117  
 Conservation Commission, sec. 91  
 Corrections Department, sec. 51  
 Corrections Standards Board, sec. 76

Court of Appeals, sec. 10  
Criminal Justice Training Commission, sec. 70  
Data Processing Authority, sec. 26  
Eastern Washington State Historical Society, sec. 130  
Eastern Washington University, sec. 120  
Ecology Department, sec. 80  
Economic and Community Development Department, sec. 47  
Economic and Revenue Forecasting Council, sec. 50  
Emergency Services Department, sec. 43  
Employment Security Department, sec. 74  
Energy Facility Site Evaluation Council, sec. 82  
Energy Office, sec. 78  
Environmental Hearings Office, sec. 81  
Financial Management Office, sec. 22  
Fisheries Department, sec. 87  
Game Department, sec. 88  
General Administration Department, sec. 29  
Governor, sec. 13  
Governor, Special Appropriations, secs. 133-135  
Higher Education, secs. 116-127  
Higher Education Personnel Board, sec. 126  
Horse Racing Commission, sec. 37  
Hospital Commission, sec. 73  
House of Representatives, sec. 2  
Human Rights Commission, sec. 68  
Indian Affairs, Governor's Office, sec. 18  
Industrial Insurance Appeals Board, sec. 69  
Insurance Commissioner, sec. 30  
Interagency Committee for Outdoor Recreation, sec. 85  
Investment Board, sec. 23  
Judicial Qualifications Commission, sec. 12  
Labor and Industries Department, sec. 71  
Law Library, sec. 9  
Legislative Budget Committee, sec. 4  
Legislative Evaluation and Accountability Program Committee, sec. 5  
Lieutenant Governor, sec. 14  
Liquor Control Board, secs. 38-39  
Licensing Department, sec. 94  
Marine Employees' Commission, sec. 95  
Mexican-American Affairs Commission, sec. 16  
Military Department, sec. 44  
Minority and Women's Business Enterprises Office, sec. 49  
Municipal Research Council, sec. 33  
Natural Resources Department, sec. 89  
Parks and Recreation Commission, sec. 83  
Personnel Appeals Board, sec. 25  
Personnel Department, sec. 24  
Pharmacy Board, sec. 40  
Planning and Community Affairs Agency, sec. 67  
Postsecondary Education Council, sec. 124  
Presidential Electors, sec. 46  
Prison Terms and Paroles Board, sec. 72  
Public Disclosure Commission, sec. 31  
Public Employment Relations Commission, sec. 45  
Retirement Systems Department, secs. 32, 138  
Retirement Contributions, sec. 136  
Revenue Department, sec. 27  
Secretary of State, sec. 15  
Senate, sec. 3  
Sentencing Guidelines Commission, sec. 77  
Social and Health Services Department, secs. 52-65  
    Administration and Supporting Services, sec. 62  
    Community Services Administration, sec. 63  
    Community Social Services, sec. 58  
    Developmental Disabilities Program, sec. 55  
    Income Maintenance Grants Program, sec. 57  
    Juvenile Rehabilitation Program, sec. 53  
    Medical Assistance Grants Program, sec. 59

- Mental Health Program, sec. 54
- Long-Term Care Program, sec. 56
- Public Health Program, sec. 60
- Reappropriations, sec. 65
- Revenue Collections Program, sec. 64
- Vocational Rehabilitation Program, sec. 61

- State Actuary, sec. 6
- State Auditor, sec. 20
- State Capitol Historical Association, sec. 131
- State Historical Society, sec. 129
- State Library, sec. 127
- State Patrol, sec. 93
- State Treasurer, sec. 19
  - Bond Retirement and Interest, sec. 143
  - Federal Revenues for Distribution, sec. 142
  - State Revenues for Distribution, sec. 141
  - Transfers, sec. 137

- Statute Law Committee, sec. 7
- Superintendent of Public Instruction, secs. 96-115
  - Basic Education Formula, sec. 97
  - Block Grants, sec. 110
  - Educational Clinics, sec. 115
  - Educational Service Districts, sec. 109
  - Encumbrance of Federal Grants, sec. 114
  - Enumerated Purposes, sec. 112
  - Food Service Programs, sec. 106
  - Handicapped Costs, sec. 107
  - Institutional Education Programs, sec. 111
  - Pupil Transportation, sec. 104
  - Retirement Contributions, sec. 133
  - Salary and Compensation, secs. 98-103, 113
  - Traffic Safety Program, sec. 108
  - Vocational-Technical Institutes, sec. 105

- Supreme Court, sec. 8
- Tax Appeals Board, sec. 28
- Temporary Committee on Educational Policy, Structure, and Management, sec. 132
- The Evergreen State College, sec. 122
- University of Washington, sec. 118
- Utilities and Transportation Commission, sec. 41
- Veterans Affairs Department, sec. 66
- Vocational Education Commission, sec. 125
- Volunteer Firemen Board, sec. 42
- Washington Centennial Commission, sec. 92
- Washington State University, sec. 119
- Western Washington University, sec. 123

**NEW SECTION, Sec. 2. FOR THE HOUSE OF REPRESENTATIVES**

General Fund Appropriation ..... \$ 22,425,000

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.

**NEW SECTION, Sec. 3. FOR THE SENATE**

General Fund Appropriation ..... \$ 20,111,000

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.

**NEW SECTION, Sec. 4. FOR THE LEGISLATIVE BUDGET COMMITTEE**

General Fund Appropriation ..... \$ 1,387,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$20,000 is provided solely for a peer review of the state auditor's office.

(2) The legislative budget committee shall conduct a performance audit of the common school preschool handicapped program with respect to staffing and severity ratios and shall submit a report to the legislature before January 1, 1984.

**NEW SECTION. Sec. 5. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

General Fund Appropriation ..... \$ 1,531,000

**NEW SECTION. Sec. 6. FOR THE OFFICE OF THE STATE ACTUARY**

General Fund Appropriation ..... \$ 346,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Any services related to the retirement systems established under RCW 28B.10.400 shall be billed to the requesting agency or higher education institution.

(2) Proposals shall be presented to the committees on ways and means of the senate and house of representatives not later than January 10, 1985, for (a) appropriate actuarial level funding methods which may be used for the retirement systems established under chapters 2.10 and 2.12 RCW and the supplemental payments under the retirement systems established under RCW 28B.10.400 et seq., and (b) any modifications or basic reforms in the aforementioned judicial retirement systems.

(3) \$35,000 of the appropriation in this section shall be used solely for the process of filling the vacancy of the state actuary.

**NEW SECTION. Sec. 7. FOR THE STATUTE LAW COMMITTEE**

General Fund Appropriation ..... \$ 5,120,000

**NEW SECTION. Sec. 8. FOR THE SUPREME COURT**

General Fund Appropriation ..... \$ 7,126,000

General Fund—Judiciary Education Account Appropriation ..... \$ 1,378,000

Total Appropriation ..... \$ 8,504,000

The appropriations in this section are subject to the following conditions and limitations: \$1,853,000 of the general fund appropriation and \$1,378,000 of the judiciary education account appropriation are provided solely for the indigent appeals program.

**NEW SECTION. Sec. 9. FOR THE LAW LIBRARY**

General Fund Appropriation ..... \$ 2,036,000

The appropriation in this section is subject to the following conditions and limitations: All nonstate agency users of the Westlaw system shall be charged a service fee sufficient to cover the costs of their usage.

**NEW SECTION. Sec. 10. FOR THE COURT OF APPEALS**

General Fund Appropriation ..... \$ 9,030,000

**NEW SECTION. Sec. 11. FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund Appropriation ..... \$ 21,555,000

General Fund—Judiciary Education Account Appropriation ..... \$ 1,310,000

Total Appropriation ..... \$ 22,865,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$8,524,000 of the general fund appropriation may be spent for the superior court judges. Of this amount, \$330,000 is provided solely for criminal cost bills; \$300,000 is provided solely for mandatory arbitration costs; and \$135,000 is provided solely for judges pro tempore for the superior courts. The administrator for the courts shall authorize and approve all such expenditures.

(2) \$610,000 of the judiciary education account appropriation is provided solely for judicial and support staff education programs.

(3) \$195,000 of the judiciary education account appropriation is provided solely for staff support for the judiciary education program.

(4) \$225,000 of the judiciary education account appropriation is provided solely for fall judicial conferences.

(5) \$280,000 of the judiciary education account appropriation is provided solely for education and training for the supreme court, the court of appeals, the law library, and the administrator for the courts' office.

**NEW SECTION. Sec. 12. FOR THE JUDICIAL QUALIFICATIONS COMMISSION**

General Fund Appropriation ..... \$ 426,000

**NEW SECTION. Sec. 13. FOR THE OFFICE OF THE GOVERNOR**

General Fund Appropriation ..... \$ 3,441,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$209,000 shall be used solely for extradition expenses to carry out the provisions of RCW 10.34.030, providing for the return of fugitives by the governor, including prior claims, and for extradition-related legal services as determined by the attorney general.

(2) \$154,000 shall be used solely for mansion maintenance.

(3) \$3,078,000 shall be used solely for executive operations.

**NEW SECTION. Sec. 14. FOR THE LIEUTENANT GOVERNOR**

General Fund Appropriation ..... \$ 249,000

**NEW SECTION. Sec. 15. FOR THE SECRETARY OF STATE**

General Fund Appropriation ..... \$ 4,942,000

## General Fund—Archives and Records Management Account

Appropriation .....	\$	1,310,000
Total Appropriation .....	\$	6,252,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$920,000 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.

(2) \$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.

NEW SECTION, Sec. 16. FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS

General Fund Appropriation .....	\$	124,000
----------------------------------	----	---------

NEW SECTION, Sec. 17. FOR THE COMMISSION ON ASIAN-AMERICAN AFFAIRS

General Fund Appropriation .....	\$	124,000
----------------------------------	----	---------

NEW SECTION, Sec. 18. FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

General Fund Appropriation .....	\$	124,000
----------------------------------	----	---------

NEW SECTION, Sec. 19. FOR THE STATE TREASURER

Motor Vehicle Fund Appropriation .....	\$	41,000
----------------------------------------	----	--------

State Treasurer's Service Fund Appropriation .....	\$	6,417,000
----------------------------------------------------	----	-----------

Total Appropriation .....	\$	6,458,000
---------------------------	----	-----------

NEW SECTION, Sec. 20. FOR THE STATE AUDITOR

General Fund Appropriation—State .....	\$	512,000
----------------------------------------	----	---------

General Fund Appropriation—Federal .....	\$	398,000
------------------------------------------	----	---------

Motor Vehicle Fund Appropriation .....	\$	290,000
----------------------------------------	----	---------

Municipal Revolving Fund Appropriation .....	\$	13,293,000
----------------------------------------------	----	------------

Auditing Services Revolving Fund Appropriation .....	\$	7,083,000
------------------------------------------------------	----	-----------

Total Appropriation .....	\$	21,576,000
---------------------------	----	------------

The appropriations in this section are subject to the following conditions and limitations:

(1) If legislation is not enacted before July 1, 1983, permitting payment from the municipal revolving fund of the expenses of maintaining and operating the state auditor's office in connection with local government audits, the general fund appropriation in this section shall be increased by \$196,000 and the municipal revolving fund appropriation shall be reduced by \$196,000.

(2) The director of financial management shall approve sufficient payments to the state auditor in all cases of necessity under RCW 43.09.418, including but not limited to cases of suspected malfeasance, misfeasance, or fraud, notwithstanding the level of auditing activity supported by the appropriation in this section.

NEW SECTION, Sec. 21. FOR THE ATTORNEY GENERAL

General Fund Appropriation .....	\$	4,288,000
----------------------------------	----	-----------

Legal Services Revolving Fund Appropriation .....	\$	25,683,000
---------------------------------------------------	----	------------

Total Appropriation .....	\$	29,971,000
---------------------------	----	------------

The appropriations in this section are subject to the following conditions and limitations:

(1) No moneys appropriated in this section may be expended for the support of the crime watch program.

(2) No moneys appropriated in this section may be expended for the support of the law enforcement assistance program.

(3) A maximum of \$313,000 is provided solely for the criminal litigation unit.

(4) \$24,000 of the general fund appropriation is provided solely for a consumer protection hotline within the consumer protection division.

NEW SECTION, Sec. 22. FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation—State .....	\$	11,616,000
----------------------------------------	----	------------

General Fund Appropriation—Federal .....	\$	50,000
------------------------------------------	----	--------

Medical Aid Fund Appropriation—State .....	\$	100,000
--------------------------------------------	----	---------

Data Processing Revolving Fund Appropriation .....	\$	1,368,000
----------------------------------------------------	----	-----------

Total Appropriation .....	\$	13,134,000
---------------------------	----	------------

The appropriations in this section are subject to the following conditions and limitations:

(1) Not more than \$2,500,000, of which \$1,132,500 is from the state general fund and \$1,367,500 from the data processing revolving fund, is provided for expenses related to the agency financial reporting system (AFRS). The office of financial management shall allocate moneys to various state agencies on the basis of identified need. Whenever allocations are made to agencies financed in whole or in part by other than general fund moneys, the director of financial management shall direct the repayment of such allocated amount to the data processing revolving fund from any balance in the fund or funds which finance the agency. No appropriation shall be necessary to effect such repayment.

(2) The director of financial management shall make every effort to limit equipment purchases by agencies so that total state general fund expenditures for equipment purchases by state agencies at the end of the 1983-85 biennium is two million dollars less than the amount appropriated for equipment in the 1983-85 biennium.

(3) \$20,000 is provided solely for a feasibility study of an offender-based corrections information system to serve the combined information needs of the department of corrections, board of prison terms and parole, sentencing guidelines commission, corrections standard board, and the administrator for the courts, to be delivered to the legislature by December 1, 1984.

(4) \$5,000 of the general fund—state appropriation is provided solely for payment of claims against the state of \$500 or less, pursuant to RCW 4.92.040.

(5) The office of financial management shall present to the legislature by December 1, 1984, a plan to have the state self-fund any or all portions of the insurance programs offered by the state. For purposes of this study, the reserves required by the self-funded programs shall be assumed to be held by the state treasurer in the originating funds until an obligation occurs. The state investment board shall act as the investor for the funds, and all of the earnings from these investments shall accrue directly to the originating funds.

**NEW SECTION, Sec. 23. FOR THE STATE INVESTMENT BOARD**

General Fund—State Investment Board Expense Account Appropriation . . . . . \$ 1,275,000

**NEW SECTION, Sec. 24. FOR THE DEPARTMENT OF PERSONNEL**

Department of Personnel Service Fund Appropriation . . . . . \$ 8,625,000  
 State Employees' Insurance Fund Appropriation . . . . . \$ 1,542,000  
 Total Appropriation . . . . . \$ 10,167,000

The appropriations in this section are subject to the following conditions and limitations: If House Bill No. 134 is enacted before July 1, 1983, the department of personnel service fund appropriation shall be reduced by \$275,000.

**NEW SECTION, Sec. 25. FOR THE PERSONNEL APPEALS BOARD**

Department of Personnel Service Fund Appropriation . . . . . \$ 779,000

**NEW SECTION, Sec. 26. FOR THE DATA PROCESSING AUTHORITY**

Data Processing Revolving Fund Appropriation . . . . . \$ 877,000

The appropriation in this section is subject to the following conditions and limitations: The data processing authority shall develop and implement with the office of financial management an equitable billing structure to insure that all state agencies, as defined in RCW 43.88-.020, pay a proportionate share of the data processing authority's operational costs.

**NEW SECTION, Sec. 27. FOR THE DEPARTMENT OF REVENUE**

General Fund Appropriation . . . . . \$ 43,164,000  
 General Fund—State Timber Tax Reserve Account Appropriation . . . . . \$ 2,851,000  
 Motor Vehicle Fund Appropriation . . . . . \$ 115,000  
 Total Appropriation . . . . . \$ 46,130,000

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.

**NEW SECTION, Sec. 28. FOR THE BOARD OF TAX APPEALS**

General Fund Appropriation . . . . . \$ 999,000

**NEW SECTION, Sec. 29. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

General Fund Appropriation—State . . . . . \$ 6,038,000  
 General Fund Appropriation—Private/Local . . . . . \$ 58,000  
 General Fund—Motor Transport Account Appropriation . . . . . \$ 6,858,000  
 General Administration Facilities and Services Revolving Fund  
 Appropriation . . . . . \$ 16,180,000  
 Total Appropriation . . . . . \$ 29,134,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The community college districts shall transfer to the motor transport account \$51,390 from the general local fund and \$157,389 from the local motor pool fund. These transfers shall be made in accordance with schedules provided by the office of financial management.

(2) The appropriation from the motor transport account may be used for the replacement of existing vehicles but shall not be used to expand the fleet.

**NEW SECTION, Sec. 30. FOR THE INSURANCE COMMISSIONER**

General Fund Appropriation . . . . . \$ 7,902,000

**NEW SECTION, Sec. 31. FOR THE PUBLIC DISCLOSURE COMMISSION**

General Fund Appropriation . . . . . \$ 976,000

**NEW SECTION, Sec. 32. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS**

Department of Retirement Systems Expense Fund Appropriation . . . . . \$ 10,458,000

The appropriation in this section is subject to the following conditions and limitations: The department of retirement systems is authorized to transfer from the applicable retirement system fund to the department of retirement systems expense fund amounts which represent each system's proportionate share of administrative expenses.

**NEW SECTION, Sec. 33. FOR THE MUNICIPAL RESEARCH COUNCIL**

General Fund Appropriation . . . . . \$ 1,495,000

NEW SECTION, Sec. 34. FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation	\$	294,000
Certified Public Accountant Examination Account Appropriation	\$	351,000
Total Appropriation	\$	645,000

The appropriations in this section are subject to the following conditions and limitations: If Substitute House Bill No. 646 is not enacted by July 1, 1983, the general fund appropriation shall be increased by \$317,000.

NEW SECTION, Sec. 35. FOR THE BOXING COMMISSION

General Fund Appropriation	\$	73,000
----------------------------	----	--------

NEW SECTION, Sec. 36. FOR THE CEMETERY BOARD

General Fund—Cemetery Account Appropriation	\$	74,000
---------------------------------------------	----	--------

NEW SECTION, Sec. 37. FOR THE HORSE RACING COMMISSION

Horse Racing Commission Fund Appropriation	\$	2,836,000
--------------------------------------------	----	-----------

The appropriation in this section is subject to the following conditions and limitations: 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.

NEW SECTION, Sec. 38. FOR THE LIQUOR CONTROL BOARD—THE ADMINISTRATION PROGRAM, AND THE LICENSING AND ENFORCEMENT PROGRAM

Liquor Revolving Fund Appropriation	\$	14,491,000
-------------------------------------	----	------------

NEW SECTION, Sec. 39. FOR THE LIQUOR CONTROL BOARD—MERCHANDISING PROGRAM

Liquor Revolving Fund Appropriation	\$	70,397,000
-------------------------------------	----	------------

The appropriation in this section is subject to the following conditions and limitations:

(1) The liquor control board shall maintain a minimum productivity of 43,821 bottles sold adjusted to retail per FTE staff year. As used in this section, "bottles sold adjusted to retail" has the same meaning and shall be calculated in the same manner as in the board's budget request for the fiscal biennium ending June 30, 1985. The board shall not permit a productivity less than that specified in this section for any reason, including but not limited to the sale of lottery tickets or decreases in the demand for liquor.

(2) The liquor control board is authorized to relocate stores during the fiscal biennium ending June 30, 1985, if necessary to conduct business in the most efficient and economical manner possible.

(3) The liquor control board is prohibited from opening any new retail sales outlets or to convert agencies to retail sales outlets during the fiscal biennium ending June 30, 1985.

(4) The liquor control board shall distribute and offer for sale lottery tickets for the Washington state lottery during the fiscal biennium ending June 30, 1985.

NEW SECTION, Sec. 40. FOR THE PHARMACY BOARD

General Fund Appropriation	\$	1,072,000
----------------------------	----	-----------

NEW SECTION, Sec. 41. FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Public Service Revolving Fund Appropriation—State	\$	17,351,000
Public Service Revolving Fund Appropriation—Federal	\$	452,000
Grade Crossing Protective Fund Appropriation	\$	516,000
Total Appropriation	\$	18,319,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$320,000 of the grade crossing protective fund appropriation shall be expended for obligations incurred in previous biennia.

(2) Not more than \$110,000 shall be expended for an additional assistant attorney general for increased workload in utility rate requests.

(3) \$150,000 from the public service revolving fund appropriation is provided solely for the joint select committee on telecommunications regulation for the purposes of reviewing the consequences of changes in the telecommunications industry, including the AT&T divestiture.

(4) \$700,000 is provided solely for costs of the attorney general associated with representation of the public before the commission, including but not limited to the costs of special attorneys general, expert witnesses, technical assistants, and consultants.

NEW SECTION, Sec. 42. FOR THE BOARD FOR VOLUNTEER FIREMEN

Volunteer Firemen's Relief and Pension Fund Appropriation	\$	163,000
-----------------------------------------------------------	----	---------

NEW SECTION, Sec. 43. FOR THE DEPARTMENT OF EMERGENCY SERVICES

General Fund Appropriation—State	\$	766,000
General Fund Appropriation—Federal	\$	3,862,000
Total Appropriation	\$	4,628,000

NEW SECTION, Sec. 44. FOR THE MILITARY DEPARTMENT

General Fund Appropriation—State	\$	6,931,000
General Fund Appropriation—Federal	\$	1,723,000
Total Appropriation	\$	8,654,000

NEW SECTION, Sec. 45. FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund Appropriation	\$	1,422,000
----------------------------	----	-----------

NEW SECTION, Sec. 46. FOR THE PRESIDENTIAL ELECTORS



General Fund Appropriation ..... \$ 1,000  
NEW SECTION, Sec. 47. FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

General Fund Appropriation—State ..... \$ 4,708,000  
 General Fund Appropriation—Federal ..... \$ 53,649,000  
 Total Appropriation ..... \$ 58,357,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) The appropriations in this section are for expenditure in fiscal year 1985.
- (2) Not more than \$437,000 of the general fund—state appropriation is provided for distribution to incorporated cities and towns for fire protection of state facilities.
- (3) \$292,000 of the general fund—state appropriation, or so much thereof as may be necessary, shall be used for Mount St. Helens volcano zone enforcement patrol.
- (4) \$125,000 of the general fund—state appropriation shall be provided solely for distribution to border areas within seven air miles of the Canadian border.

NEW SECTION, Sec. 48. FOR THE OFFICE OF ADMINISTRATIVE HEARINGS

Administrative Hearings Revolving Fund Appropriation ..... \$ 7,019,000  
NEW SECTION, Sec. 49. FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

General Fund Appropriation ..... \$ 768,000

The appropriation in this section is subject to the following conditions and limitations: If Second Substitute Senate Bill No. 3230 is not enacted before July 1, 1983, the appropriation in this section shall lapse.

NEW SECTION, Sec. 50. FOR THE ECONOMIC AND REVENUE FORECASTING COUNCIL

General Fund Appropriation ..... \$ 804,000

The appropriation in this section is subject to the following conditions and limitations: If House Bill No. 784 is not enacted by July 1, 1983, then the appropriation in this section shall lapse.

NEW SECTION, Sec. 51. FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

(a) \$2,153,000 is appropriated from the general fund for the continuation and expansion of the alternatives to street crime programs in Pierce, Snohomish, Clark, King, Spokane, and Yakima counties. \$38,000 of the appropriation in this subsection (1)(a) is provided solely for the current Pierce county and Snohomish county treatment alternatives to street crime programs to implement the expansion program.

(b) \$51,803,000 is appropriated from the general fund, subject to the following conditions and limitations:

- (i) \$236,000 is provided solely for community diversion programs.
- (ii) \$200,000 is provided solely for a program to notify victims and witnesses of any parole, work release placement, furlough, or unescorted leave of absence from a state correctional facility of any inmate convicted of a violent offense.
- (iii) \$25,458,000 is provided for probation and parole, other than for drug and alcohol specialized officers in counties currently or proposed to be served by the treatment alternatives to street crime programs.
- (iv) \$4,054,000 is provided for intensive parole.
- (v) \$16,952,000 is provided to operate and/or contract with nonprofit corporations for work training release for convicted felons.
- (vi) \$4,026,000 is provided to operate the Geiger community work release facility for convicted felons.
- (vii) \$877,000 is provided for support of the state director's office of community services.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State ..... \$ 206,860,000  
 General Fund Appropriation—Federal ..... \$ 700,000  
 Total Appropriation ..... \$ 207,560,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$712,000 of the general fund—state appropriation is provided solely for drug and alcohol rehabilitation treatment programs at appropriate state correctional institutions, as defined in RCW 72.01.050 for persons who: (i) Are defined as inmates under RCW 72.09.020; (ii) in the opinion of a qualified health professional designated by the department, are in need of such treatment; and (iii) have less than one year remaining in their confinement to a state correctional facility. Such programs may include facilities for both residential and outpatient treatment.

(b) The superintendents of each correctional institution, as defined in RCW 72.65.010, shall establish community-based volunteer alcohol and drug rehabilitation programs in their respective correctional institution. The superintendents shall encourage groups conducting such programs outside the institutions to participate in such programs inside the institution. An employee at each correctional institution shall be designated to coordinate the programs mandated in this subsection.

(c) The department shall contract with appropriate counties for the use of up to 200 beds in county jails. Contracted jail space shall be used for inmates who have not fully entered the state prison system and for inmates who are nearing their release date who are not appropriate for parole, work release, or early release.

(3) ADMINISTRATION AND PROGRAM SUPPORT

General Fund Appropriation—State .....	\$	13,278,000
General Fund—Institutional Impact Account Appropriation .....	\$	865,000
Total Appropriation .....	\$	14,143,000

The appropriations in this subsection are subject to the following conditions and limitations: \$1,480,000 is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities.

(4) INSTITUTIONAL INDUSTRIES

General Fund Appropriation .....	\$	5,463,000
----------------------------------	----	-----------

(5) The appropriations in subsections (1), (2), (3), and (4) of this section are made solely for those purposes and no transfer shall be made among said subsections.

NEW SECTION. Sec. 52. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(1) Appropriations made by this act to the department of social and health services shall be initially allotted as required by this act. The initial allotments of all appropriations made by this act to the department of social and health services shall not be modified before October 1, 1983. Except as otherwise provided in this act, these initial allotments may be modified on and after October 1, 1983, only with the approval of the office of financial management after consultation with the ways and means committees of the senate and house of representatives: PROVIDED, That the allotment modifications shall not include transfers of moneys between sections of this act, nor shall the allotment modifications permit moneys which are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services which will require expenditure of state general fund moneys except as expressly authorized in this act, unless the services were provided on July 1, 1983. The department of social and health services may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of the amounts anticipated in this act.

NEW SECTION. Sec. 53. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State .....	\$	25,444,000
General Fund Appropriation—Federal .....	\$	54,000
Total Appropriation .....	\$	25,498,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$12,329,000 of the general fund—state appropriation is provided solely for consolidated juvenile services. The department shall use these moneys to reduce commitments to the department and promote alternatives to institutional bed usage. The department shall submit a report to the legislature by December 1, 1984, on the success of these services in preventing institutionalization and reducing recidivism.

(b) Vendor rate adjustments for fee-for-service providers shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State .....	\$	40,008,000
General Fund Appropriation—Federal .....	\$	788,000
Total Appropriation .....	\$	40,796,000

The appropriations in this subsection are subject to the following conditions and limitations: The appropriations in this subsection shall be initially allotted as follows:

(a) \$11,763,000, of which \$11,507,000 is from the general fund—state appropriation, and 390.0 FTE staff years for the Echo Glen Children's Center to operate at least eleven cottages.

(b) \$9,836,000, of which \$9,638,000 is from the general fund—state appropriation, and 320.0 FTE staff years for the Maple Lane School to operate at full bed capacity.

(c) \$10,356,000, of which \$10,212,000 is from the general fund—state appropriation, and 310.4 FTE staff years for the Green Hill School to operate at full bed capacity.

(d) \$5,436,000, of which \$5,318,000 is from the general fund—state appropriation, and 159.0 FTE staff years for the Naselle Youth Camp to operate at full bed capacity.

(e) \$3,405,000, of which \$3,333,000 is from the general fund—state appropriation, and 82.0 FTE staff years for the Mission Creek Youth Camp to operate at full bed capacity.

(3) PROGRAM SUPPORT

General Fund Appropriation—State .....	\$	2,207,000
----------------------------------------	----	-----------

(4) The appropriations in subsections (1), (2), and (3) of this section are made solely for those purposes only and no transfer shall be made among said subsections.

NEW SECTION. Sec. 54. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	85,128,000
General Fund Appropriation—Federal	\$	14,095,000
General Fund Appropriation—Local	\$	264,000
Total Appropriation	\$	99,487,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department is directed to develop at least 55 new community residential involuntary treatment act (ITA) beds and submit a report to the legislature by January 1, 1984, describing its progress in complying with this requirement.

(b) \$436,000 of the general fund—state appropriation is provided solely for pilot school-based early intervention projects in at least three school districts. The department shall issue a request for proposals no later than September 1, 1983, and shall contract with school districts no later than January 1, 1984. School districts shall be required to provide in-kind matching equal in value to at least 43% of the funding provided in this subsection. At least 85% of children served in each participating district shall be in grades kindergarten through three. Parental consent shall be required before any child is involved in screening or accepted into a project. Each project staff shall include a children's mental health professional and a paraprofessional coordinator. The department shall plan and administer the projects in consultation with the superintendent of public instruction, local school districts, licensed community mental health providers, and other community representatives. Of the amount provided in this subsection, up to \$70,000 may be expended for administration, training, and consultation by the department.

(c) \$465,000 is provided solely for a community psychiatric training program at the University of Washington to provide the following:

(i) Placement of psychiatric residents and other postgraduate trainees in both state mental institutions and community mental health programs;

(ii) Technical assistance to the department of social and health services; and

(iii) Continuing educational opportunities for mental health professionals state-wide.

(d) Vendor rate adjustments for fee-for-service providers shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	107,845,000
General Fund Appropriation—Federal	\$	3,493,000
Total Appropriation	\$	111,338,000

(3) PROGRAM SUPPORT

General Fund Appropriation—State	\$	2,854,000
General Fund Appropriation—Federal	\$	584,000
General Fund Appropriation—Local	\$	14,000
Total Appropriation	\$	3,452,000

(4) SPECIAL PROJECTS

General Fund Appropriation—Federal	\$	38,000
------------------------------------	----	--------

(5) The appropriations in subsections (1), (2), (3), and (4) of this section are made solely for those purposes only and no transfer shall be made among said subsections.

NEW SECTION, Sec. 55. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	51,390,000
General Fund Appropriation—Federal	\$	41,765,000
Total Appropriation	\$	93,155,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$100,000 of the general fund—state appropriation is provided solely for a contract marketing project to ensure greater access for small agencies providing long-term employment to individuals with severe developmental disabilities. The department shall determine the criteria for small agencies that will benefit from this marketing project and enlist the support of business, industry, and government in developing work opportunities. The department shall monitor the contract and submit a report to the legislature by December 1, 1984. The report shall include changes in the workers' wages and commercial revenue of the agencies involved during the period of the project.

(b) The appropriations in this subsection shall be initially allotted as follows:

(i) \$14,664,000 of the general fund—state appropriation for group homes to serve an average monthly caseload of 936 clients.

(ii) \$24,759,000, of which \$2,772,000 is from the general fund—state appropriation, for county services to serve an average monthly caseload of 3,837 clients.

(iii) \$8,390,000, of which \$6,922,000 is from the general fund—state appropriation, for field services to serve an average monthly caseload of 9,575 clients.

(iv) \$2,652,000, of which \$536,000 is from the general fund—state appropriation, for home aid to serve an average monthly caseload of 1,066 clients.

(v) \$33,036,000, of which \$16,842,000 is from the general fund—state appropriation, for title XIX residential services to serve an average monthly caseload of 965 clients.

(vi) \$956,000 of the general fund—state appropriation for alternative living to serve an average monthly caseload of 322 clients.

(vii) \$8,423,000 of the general fund—state appropriation for tenant support to serve an average monthly caseload of 541 clients.

(c) Vendor rate adjustments for fee-for-service providers shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(d) \$175,000 of the general fund—state appropriation is provided solely for the dental education in care of the disabled graduate training program with the University of Washington.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	100,012,000
General Fund Appropriation—Federal	\$	62,045,000
Total Appropriation	\$	162,057,000

The appropriations in this subsection are subject to the following conditions and limitations: The appropriations in this subsection shall be initially allotted as follows:

(a) \$40,686,000 and 1,584.2 FTE staff years for the Fircrest School to operate at a biennial average daily population of 496.

(b) \$18,178,000 and 745.4 FTE staff years for the Interlake School to operate at a biennial average daily population of 250.

(c) \$43,959,000 and 1,670.4 FTE staff years for the Rainier School to operate at a biennial average daily population of 512.5.

(d) \$29,668,000 and 1,219.0 FTE staff years for the Lakeland Village School to operate at a biennial average daily population of 350.

(e) \$12,266,000 and 475.2 FTE staff years for the Yakima Valley School to operate at a biennial average daily population of 150.

(f) \$4,773,000 and 191.6 FTE staff years for the Frances Haddon Morgan Children's Center to operate at a biennial average daily population of 54.

(g) \$4,562,000 and 151.8 FTE staff years for the School for the Blind to operate at a biennial average daily population of 63.

(h) \$7,965,000 and 235.8 FTE staff years for the School for the Deaf to operate at a biennial average daily population of 205.

(3) PROGRAM SUPPORT

General Fund Appropriation—State	\$	3,742,000
General Fund Appropriation—Federal	\$	864,000
Total Appropriation	\$	4,606,000

(4) SPECIAL PROJECTS

General Fund Appropriation—State	\$	911,000
General Fund Appropriation—Federal	\$	1,152,000
Total Appropriation	\$	2,063,000

(5) The appropriations in subsections (1), (2), (3), and (4) of this section are made solely for those purposes only and no transfer shall be made among said subsections.

**NEW SECTION. Sec. 56. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—LONG-TERM CARE SERVICES**

General Fund Appropriation—State	\$	217,084,000
General Fund Appropriation—Federal	\$	211,341,000
Total Appropriation	\$	428,425,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall provide a coherent system of long-term care services which will allow for the most efficient, equitable, and appropriate use of available resources. These services shall be provided in the least restrictive and most cost-effective manner appropriate for individual clients.

(2) \$323,831,000, of which \$162,984,000 is from the general fund—state appropriation, is provided for nursing home services.

(a) Of the amounts provided in this subsection (2), \$8,000,000, of which \$4,000,000 is from the general fund—state appropriation, is provided solely for implementation of cost reimbursement rate reform pursuant to Substitute Senate Bill No. 3780 or Senate Bill No. 3920 and chapter 74.46 RCW. If Substitute Senate Bill No. 3780 and Senate Bill No. 3920 fail to become law by July 1, 1983, such portion of the appropriation shall lapse and a separate amount of \$6,000,000, of which \$3,000,000 is from the general fund—state appropriation, shall be provided solely for independent certified audits of nursing homes under RCW 74.46.120.

(b) Vendor rate adjustments for inflation under chapter 74.46 RCW shall be 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(3) \$8,000,000, of which \$4,000,000 is from the general fund—state appropriation, shall be placed in a reserve account. The department shall report not later than January 1, 1984, to the ways and means committees of the senate and house of representatives on efforts to divert clients from unnecessary nursing home placements through the use of the community options program entry system federal waiver. The report shall include data on the number of clients so diverted, the types of care and/or services provided to such clients as alternatives to nursing

home placement, and the costs and savings associated with such diversions. No expenditure may be made from the reserve account established in this subsection unless specifically authorized by law.

(4) \$85,869,000, of which \$44,159,000 is from the general fund—state appropriation, is provided solely for community-based long-term care services including congregate care, adult family home care, chore services, home health care, nutrition services, transportation services, and case management services.

(a) \$452,000 of the general fund—state appropriation is provided solely for increased rates and respite care payments for adult family homes to promote participation in the program.

(b) Vendor rate adjustments shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(c) \$14,112,000 of the general fund—state appropriation is provided for implementation of the senior citizens services act. At least 7.0% of this amount shall be used for programs which utilize volunteer workers for the provision of chore services to persons whose need for chore services is not being met by the state chore service program and shall not be transferred or used for any other purpose.

(d) \$41,095,000, of which \$18,277,000 is from the general fund—state appropriation, is provided for chore services. The department shall report to the legislature by December 1, 1983, regarding the client impact of revisions to the chore services program resulting from the 1983 amendments to RCW 74.08.541.

(e) \$30,210,000, of which \$11,318,000 is from the general fund—state appropriation, is provided for the services outlined in subsections (4) (e) (i) through (v) of this section and shall be initially allotted as follows:

(i) \$18,301,000 from federal funds is provided for the federal older Americans act.

(ii) \$1,193,000, of which \$602,000 is from the general fund—state appropriation, is provided for adult day health services.

(iii) \$51,000 is provided for nursing home discharge payments.

(iv) \$8,454,000 is provided for congregate care services.

(v) \$2,211,000 is provided for adult family home services.

(5) \$10,725,000, of which \$5,941,000 is from the general fund—state appropriation, is provided for the administration of long-term care services and shall be initially allotted as follows:

(a) \$2,618,000, of which \$1,755,000 is from the general fund—state appropriation, is provided for the bureau of aging and adult services.

(b) \$8,107,000, of which \$4,186,000 is from the general fund—state appropriation, is provided for the bureau of nursing home affairs.

NEW SECTION, Sec. 57. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME ASSISTANCE PROGRAM

General Fund Appropriation—State .....	\$ 359,127,000
General Fund Appropriation—Federal .....	\$ 314,381,000
Total Appropriation .....	\$ 673,508,000

The appropriations in this section are subject to the following conditions and limitations:

(1) 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.

(2) The department shall develop and submit to the federal department of health and human services a work incentive demonstration project proposal to allow administration of the work incentive program to be solely borne by the department of social and health services. Before implementation of the proposal, but not later than December 1, 1983, the department shall report to the ways and means and social and health services committees of the senate and house of representatives. The report shall advise the legislature regarding effects of the proposal on (a) the administration of the work incentive program, (b) the receipt of federal funds for the program, and (c) expected client outcomes under the proposal.

(3) Public assistance grants shall not be prorated or otherwise reduced solely because of the presence in the household of an individual not legally responsible for the support of the assistance unit, and the department shall not assume any contribution from such individual for the support of the assistance unit.

(4) \$25,536,800, of which \$12,768,400 is from the general fund—state appropriation, is provided solely for aid to families with dependent children for two-parent families beginning on July 1, 1983, and continuing through June 30, 1984. Additional funds appropriated in this section may be expended for the program during such period. The department shall amend its state plan under title IVA of the federal social security act in order to secure federal matching funds for the program during such period.

(5) \$2,982,000 of the general fund—state appropriation is provided solely for general assistance to pregnant women under the 1983 amendments to RCW 74.04.005.

(6) Grant payment standards will be increased 2.5% on July 1, 1983, and 3.0% on July 1, 1984, for aid to families with dependent children, general assistance, consolidated emergency assistance, and refugee assistance.

(7) It is the continuing intention of the legislature that payment levels in the aid to families with dependent children, general assistance, and refugee assistance programs contain an energy allowance to offset the high and rising costs of energy, and that such allowance be excluded from consideration as income for the purpose of determining eligibility and benefit levels of the food stamp program to the maximum extent such exclusion is authorized under federal law and RCW 74.08.046. To this end, up to \$65,000,000 is so designated for exemptions of the following amounts:

Family size:	1	2	3	4	5	6	7	8	or more
Exemption:	\$21	27	32	39	44	50	59	64	

(8) The appropriations in this section shall be initially allotted as follows:

- (a) \$18,133,000 from federal funds for refugee assistance.
- (b) \$509,490,000, of which \$236,082,000 is from the general fund—state appropriation, for aid to families with dependent children—regular.
- (c) \$25,536,000, of which \$12,768,000 is from the general fund—state appropriation, for aid to families with dependent children—employable.
- (d) \$32,361,000 of the general fund—state appropriation for supplemental security income payments.
- (e) \$66,332,000, of which \$65,127,000 is from the general fund—state appropriation, for general assistance to unemployable persons.
- (f) \$2,982,000 of the general fund—state appropriation for general assistance to pregnant women.
- (g) \$10,954,000, of which \$5,477,000 is from the general fund—state appropriation, for the consolidated emergency assistance program.
- (h) \$3,061,000 of the general fund—state appropriation for burial assistance.
- (i) \$1,871,000, of which \$990,000 is from the general fund—state appropriation, for employment and training support.
- (j) \$2,788,000, of which \$279,000 is from the general fund—state appropriation, for work incentive payments.

**NEW SECTION. Sec. 58. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SOCIAL SERVICES PROGRAM**

General Fund Appropriation—State	\$ 84,142,000
General Fund Appropriation—Federal	\$ 23,918,000
General Fund Appropriation—Local	\$ 91,000
<b>Total Appropriation</b>	<b>\$ 108,151,000</b>

The appropriations in this section are subject to the following conditions and limitations:

- (1) The department shall establish a vendor rate over and above the regular child day-care rate for therapeutic day care provided to abused or neglected children under the age of five years. A maximum of \$360,000 of moneys appropriated and allotted for child care payment may be expended for therapeutic day care.
- (2) Vendor rate adjustments shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.
- (3) \$1,185,000 of the general fund—state appropriation is provided solely for home-based social services to families with children in foster care or at risk of foster care because of family problems rather than child behavior problems.
- (4) The appropriations in this section shall be initially allotted as follows:
  - (a) \$1,128,000 of the general fund—state appropriation for the victims of domestic violence program.
  - (b) \$41,390,000, of which \$36,086,000 is from the general fund—state appropriation, for foster care payments.
  - (c) \$8,605,000, of which \$5,847,000 is from the general fund—state appropriation, for child-care payments.
  - (d) \$4,688,000, of which \$3,609,000 is from the general fund—state appropriation, for adoption support.
  - (e) \$3,170,000, of which \$1,525,000 is from the general fund—state appropriation, for family reconciliation services.
  - (f) \$8,749,000, of which \$7,553,000 is from the general fund—state appropriation, for interim care.
  - (g) \$14,927,000, of which \$12,199,000 is from the general fund—state appropriation, for alcoholism grants.
  - (h) \$4,768,000, of which \$4,249,000 is from the general fund—state appropriation, for detoxification.
  - (i) \$9,072,000, of which \$4,092,000 is from the general fund—state appropriation, for substance abuse grants.
  - (j) \$7,854,000 of the general fund—state appropriation for congregate care for alcohol and substance abuse clients.
  - (k) \$3,800,000 of the general fund—federal appropriation for refugee services.

**NEW SECTION. Sec. 59. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE PROGRAM**

General Fund Appropriation—State	\$ 358,388,000
----------------------------------	----------------

General Fund Appropriation—Federal .....	\$ 231,464,000
Total Appropriation .....	\$ 589,852,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$13,355,800, of which \$6,677,900 is from the general fund—state appropriation, is provided solely for medical assistance and limited casualty program coverage for persons in two-parent families who are categorically related to the aid to families with dependent children program, between July 1, 1983, and June 30, 1984. Additional funds appropriated under this section may be expended for the coverage during such period. The department shall amend its state plan under title XIX of the federal social security act in order to secure federal matching funds for the coverage during such period.

(2) Vendor rate adjustments for fee-for-service providers shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(3) The legislature finds and declares that rising hospital costs are a vital concern. Therefore, it is essential that an effective cost control program be pursued. The department shall pay for inpatient hospital services under the federal medicaid program through the use of rates that are reasonable and adequate to meet the costs that must be incurred by efficiently and economically operated providers to provide services in conformity with applicable state and federal laws, regulations, and quality and safety standards.

(4) \$7,000,000 of the general fund—state appropriation shall be placed in a reserve account. The department is directed to report to the legislature not later than January 1, 1984, on its methods for establishing inpatient hospital payment rates, the changes it anticipates in such rates during the fiscal year ending June 30, 1985, the reasons therefor, and any anticipated additional expenditures for inpatient hospital treatment during such fiscal year. No expenditure shall be made from the reserve account established in this subsection until specifically authorized by law.

(5) The department is directed to seek increased participation of 3,000 additional recipients over those currently enrolled in health maintenance organizations and individual practice associations. By December 31, 1984, the department shall report to the legislature on progress in these efforts.

(6) The department shall establish by rule a system to ensure that the appropriations in this section are not expended to cover persons who are already covered by private or other public programs.

(7) The department shall provide payment for chiropractic services under RCW 74.09.035 and 74.09.520.

(8) The department shall reimburse health care providers licensed under chapters 18.53, 18.71, 18.22, and 18.57 RCW for comparable services at equal rates.

**NEW SECTION. Sec. 60. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
PUBLIC HEALTH PROGRAM**

General Fund Appropriation—State .....	\$ 38,988,000
General Fund Appropriation—Federal .....	\$ 53,161,000
General Fund Appropriation—Local .....	\$ 5,016,000

General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)—Appropriation .....	\$ 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)—Reap- propriation .....	\$ 21,826,000
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------

Total Appropriation .....	\$ 138,991,000
---------------------------	----------------

The appropriations in this section are subject to the following conditions and limitations:

(1) If federal moneys are received for state health planning purposes for the fiscal year ending June 30, 1985, an equal amount of the general fund—state appropriation shall lapse.

(2) \$1,261,000 is provided solely for poison control centers.

(3) Vendor rate adjustments shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

**NEW SECTION. Sec. 61. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
VOCATIONAL REHABILITATION PROGRAM**

General Fund Appropriation—State .....	\$ 14,051,000
General Fund Appropriation—Federal .....	\$ 25,602,000
Total Appropriation .....	\$ 39,653,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,000,000 of the general fund—state appropriation is provided solely for rehabilitation services to income assistance clients who are not severely disabled. Such services shall be provided through the use of available, unmatched state funds. The division of vocational rehabilitation shall facilitate rapid referral and eligibility determination and provide services

to appropriate income assistance clients who do not meet federal regulations for priority services.

(2) Vendor rate adjustments shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

**NEW SECTION, Sec. 62. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund Appropriation—State .....	\$	55,494,000
General Fund Appropriation—Federal .....	\$	41,060,000
General Fund—Institutional Impact Account Appropriation .....	\$	75,000
Total Appropriation .....	\$	96,629,000

The appropriations in this section are subject to the following conditions and limitations: \$4,667,000, of which \$1,780,000 is from the general fund—state appropriation, is provided solely for the information resource management plan. This plan shall include among its top priorities continuing development of a method for the identification of common client information and the tracking of clients through all human service programs provided by the department of social and health services. Under this plan, the department of social and health services shall:

(1) Maintain the capability to provide the legislature with reports that analyze client, services delivery, and service cost data across all systems containing common client identifier information and provide unduplicated recipient counts and service histories;

(2) Incorporate the medicaid management information system into the common client identifier format;

(3) Develop rapid, flexible, and efficient data extraction and report generation; and

(4) Give priority to the following projects: (a) Community service management and operations system; (b) developmental disabilities management information system; (c) support enforcement management system; (d) automated birth certification system; and (e) mental health accounting system.

**NEW SECTION, Sec. 63. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
COMMUNITY SERVICES ADMINISTRATION PROGRAM**

General Fund Appropriation—State .....	\$	135,516,000
General Fund Appropriation—Federal .....	\$	140,640,000
General Fund Appropriation—Local .....	\$	100,000
Total Appropriation .....	\$	276,256,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$350,000 of the general fund—state appropriation is provided solely for the victims of sexual assault program.

(2) \$608,000 of the general fund—state appropriation is provided solely for additional child protective service workers. These moneys shall be used to provide an additional 12.5 full time equivalent positions for a total of at least 237.2 for the fiscal year ending June 30, 1984, and an additional 16.2 full time equivalent positions for a total of at least 240.9 for the fiscal year ending June 30, 1985. Not later than December 1, 1983, the department shall submit a report to the social and health services and ways and means committees of the senate and house of representatives describing its compliance with the requirements of this subsection, indicating the average caseload of child protective service workers by region and state-wide, and indicating what level of funds would be required to achieve an average caseload of 30 cases per worker.

(3) \$100,000 of the general fund—state appropriation is provided solely for grants to pay operating expenses of community-based private nonprofit social agencies that provide services to indigent families and senior citizens whose needs are not adequately met by government programs.

(4) \$427,000 of the general fund—state appropriation is provided solely for an increase in current staffing for family reconciliation services.

(5) \$2,181,000, of which \$1,283,000 is from the general fund—state appropriation, is provided solely for contracted training.

**NEW SECTION, Sec. 64. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
REVENUE COLLECTIONS PROGRAM**

General Fund Appropriation—State .....	\$	11,867,000
General Fund Appropriation—Federal .....	\$	23,094,000
Total Appropriation .....	\$	34,961,000

**NEW SECTION, Sec. 65. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
REAPPROPRIATIONS**

General Fund Appropriation—State .....	\$	31,857,000
General Fund Appropriation—Federal .....	\$	16,875,000
General Fund Appropriation—Local .....	\$	66,000
Total Appropriation .....	\$	48,798,000

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.

**NEW SECTION, Sec. 66. FOR THE DEPARTMENT OF VETERANS AFFAIRS**



General Fund Appropriation—State	\$	15,840,000
General Fund Appropriation—Federal	\$	2,237,000
General Fund Appropriation—Local	\$	3,336,000
Total Appropriation	\$	21,413,000

The appropriations in this section are subject to the following conditions and limitations: \$200,000 of the general fund—state appropriation is provided solely for assistance to veterans of the Viet Nam conflict, including counseling on delayed stress syndrome, employment training and placement, discharge review, advocacy and representation, education, and other services appropriate to assist such veterans in overcoming employment barriers and readjusting to civilian life.

NEW SECTION, Sec. 67. FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY

General Fund Appropriation—State	\$	2,735,000
General Fund Appropriation—Federal	\$	53,568,000
Total Appropriation	\$	56,303,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are for fiscal year 1984. Contingent on the provisions of chapter ...(ESHB 796), Laws of 1983 and chapter 43.88 RCW, any unexpended funds at the end of this period shall be transferred to the department of economic and community development.

(2) Not more than \$419,000 of the general fund—state appropriation is provided for distribution to incorporated cities and towns for fire protection of state facilities.

(3) \$65,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter ...(SSB 3035), Laws of 1983.

(4) \$292,000 of the general fund—state appropriation, or so much thereof as may be necessary, shall be used for Mount St. Helens volcano zone enforcement patrol.

(5) \$125,000 of the general fund—state appropriation shall be provided solely for distribution to border areas within seven air miles of the Canadian border.

NEW SECTION, Sec. 68. FOR THE HUMAN RIGHTS COMMISSION

General Fund Appropriation—State	\$	2,968,000
General Fund Appropriation—Federal	\$	941,000
Total Appropriation	\$	3,909,000

NEW SECTION, Sec. 69. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS

General Fund—Crime Victims Compensation Account Appropriation	\$	266,000
Accident Fund Appropriation	\$	2,674,000
Medical Aid Fund Appropriation	\$	3,064,000
Total Appropriation	\$	6,004,000

The appropriations in this section are subject to the following conditions and limitations: \$12,000 of the accident fund appropriation is provided solely for an independent revalidation of the cost allocation study completed during the 1981-83 biennium. This revalidation cost study shall be transmitted to the legislature upon completion.

NEW SECTION, Sec. 70. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

General Fund—Criminal Justice Training Account Appropriation	\$	6,054,000
--------------------------------------------------------------	----	-----------

The appropriation in this section is subject to the following conditions and limitations:

(1) \$161,000 is provided solely for the crime watch program.

(2) \$170,000 is provided solely for support of the programs of the Washington association of sheriffs and police chiefs in assisting the commission to carry out RCW 43.101.180.

NEW SECTION, Sec. 71. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation—State	\$	5,770,000
General Fund—Crime Victims Compensation Account Appropriation	\$	7,345,000
Accident Fund Appropriation—State	\$	50,539,000
Accident Fund Appropriation—Federal	\$	51,000
Electrical License Fund Appropriation	\$	5,347,000
Medical Aid Fund Appropriation	\$	48,354,000
Plumbing Certificate Fund Appropriation	\$	255,000
Pressure Systems Safety Fund Appropriation	\$	758,000
Total Appropriation	\$	118,419,000

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. The department shall report to the legislature on the findings of the study by January 15, 1984.

NEW SECTION, Sec. 72. FOR THE BOARD OF PRISON TERMS AND PAROLES

General Fund Appropriation .....	\$	2,975,000
<u>NEW SECTION, Sec. 73. FOR THE HOSPITAL COMMISSION</u>		
General Fund Appropriation—State .....	\$	357,000
General Fund—Hospital Commission Account Appropriation .....	\$	1,086,000
Total Appropriation .....	\$	1,443,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The commission is directed to perform aggressive rate review of individual hospital services to ensure control of rising hospital costs and efficient and economic delivery of hospital health care services.

(2) Not later than December 1, 1983, the commission shall report to the legislature on current and anticipated hospital cost inflation. The report shall include an analysis of the components of hospital operating costs and changes in those costs, together with reasons for each major change. Special attention shall be given to cost components which increase at a rate greater than inflation in the general economy of the state.

NEW SECTION, Sec. 74. FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State .....	\$	2,654,000
General Fund Appropriation—Federal .....	\$	133,049,000
General Fund Appropriation—Local .....	\$	17,159,000
Administrative Contingency Fund		
Appropriation—Federal .....	\$	6,638,000
Unemployment Compensation Administration Fund Appropriation .....	\$	92,543,000
Total Appropriation .....	\$	252,043,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$786,000 is provided solely for the ex-offender work orientation program to serve a minimum of 1,094 ex-offenders in the community, and provide work orientation to a minimum of 500 offenders pending release. Services to offenders in addition to those provided under the appropriations in this section may be provided upon reimbursement by the department of corrections at the rate of \$605 per participant.

(2) \$313,000 is provided solely for the career awareness program to provide services to 371 ex-offenders. Services may be provided to additional ex-offenders upon reimbursement by the department of corrections at the rate of \$844 per participant.

(3) The employment security department, through the youth employment exchange or other programs, shall provide for the recruitment of corps members and the receipt of federal funds for the conservation corps established under Engrossed Second Substitute Senate Bill No. 3624.

(4) \$600,000 from the general fund—state appropriation shall be used solely for contracting with other agencies for carrying out the purposes of chapter \_\_\_\_ (2SSB 3624), Laws of 1983.

NEW SECTION, Sec. 75. FOR THE COMMISSION FOR THE BLIND

General Fund Appropriation—State .....	\$	1,682,000
General Fund Appropriation—Federal .....	\$	3,415,000
Total Appropriation .....	\$	5,097,000

The appropriations in this section are subject to the following conditions and limitations: The commission for the blind shall report in writing by December 1, 1984, to the committees on ways and means of the senate and the house of representatives on the economy and effectiveness of the orientation and training center. The report shall include, but not be limited to, analysis of the characteristics of the clients and the target population, curriculum content and practices, client tracking after leaving the center, number of persons served, costs per client, and program costs.

NEW SECTION, Sec. 76. FOR THE CORRECTIONS STANDARDS BOARD

General Fund Appropriation—State .....	\$	512,000
General Fund—Local Jail Improvement and Construction Account		
Appropriation .....	\$	113,124,000
Total Appropriation .....	\$	113,636,000

NEW SECTION, Sec. 77. FOR THE SENTENCING GUIDELINES COMMISSION

General Fund Appropriation .....	\$	551,000
----------------------------------	----	---------

NEW SECTION, Sec. 78. FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State .....	\$	1,104,000
General Fund Appropriation—Federal .....	\$	13,032,000
General Fund Appropriation—Private/Local .....	\$	60,000
Total Appropriation .....	\$	14,196,000

NEW SECTION, Sec. 79. FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund Appropriation—State .....	\$	76,000
General Fund Appropriation—Private/Local .....	\$	67,000
Total Appropriation .....	\$	143,000

NEW SECTION, Sec. 80. FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State .....	\$	20,937,000
General Fund Appropriation—Federal .....	\$	9,910,000

General Fund—Special Grass Seed Burning Research Account		
Appropriation	\$	68,000
General Fund—Reclamation Revolving Account Appropriation	\$	999,000
General Fund—Litter Control Account Appropriation	\$	4,310,000
Stream Gaging Basic Data Fund Appropriation	\$	200,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26)	\$	14,511,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Reappropriation (Referendum 26)	\$	60,923,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27)	\$	1,051,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referendum 27)	\$	8,788,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$	1,926,000
General Fund—Emergency Water Project Revolving Account: Reappropriation	\$	9,343,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)	\$	16,711,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referendum 38)	\$	15,805,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39)	\$	67,589,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Reappropriation (Referendum 39)	\$	265,858,000
Game Fund Appropriation	\$	76,000
Total Reappropriation	\$	360,717,000
Total New Appropriation	\$	138,288,000
Total Appropriation	\$	499,005,000

The appropriations in this section are subject to the following conditions and limitations:

(1) On or before October 1, 1983, the department of ecology shall file with the committees on ways and means of the senate and house of representatives and the office of financial management a master compilation by project type of those projects proposed for funding during the 1983-85 biennium from the appropriations for waste disposal facilities and water supply facilities. A separate compilation shall be supplied for each referendum bond issue. The department shall submit updates for the master compilation to the committees on ways and means and the office of financial management at six-month intervals during the 1983-85 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering the projects. If the department proposes to change or modify any project list on the master compilation, it shall give the committees on ways and means and the office of financial management thirty days' written notice of the change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall immediately inform the committees and the office of financial management of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities. In the event that the department does not comply fully and in a timely manner with the several compilations, updates, and modification reports required by this subsection, the director of the office of financial management is authorized to place in reserve the second year funds allotted to the department until such time as the documents are produced and distributed as directed herein.

(2) The appropriation from the state and local improvements revolving account—water supply facilities (Referendum 27) may be expended to pay up to 50% of the eligible cost of any project, as a grant or loan or combination thereof. Also, the department may lend up to 100% of the eligible costs of preconstruction activities and the department may provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(3) The appropriation from the state and local improvements revolving account—waste disposal facilities (Referendum 26) may be expended by the department to pay for up to 50% of the eligible cost of any project, as a grant or up to 100% as a loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste

management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(4) The appropriation from the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) may be expended by the department to pay up to 75% of the eligible cost of any project as a grant or up to 100% as a loan, or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(5) No grant or loan or combination thereof shall be made for preconstruction activities for projects which cannot be constructed without an increase in the remaining voter authorized bond capacity.

(6) \$985,000 of the general fund—state appropriation is provided for grants to activated air pollution control authorities.

(7) \$68,000 of the general fund—special grass seed burning research account appropriation shall be expended for funding of a grass burning research project by the University of Washington.

(8) \$1,500,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter \_\_\_\_ (2SSB 3624), Laws of 1983.

(9) \$85,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter \_\_\_\_ (SSB 3156), Laws of 1983.

(10) If House Bill No. 595 is enacted before July 1, 1983, the general fund—state and local improvements revolving account—water supply facilities appropriation shall be reduced by \$14,500,000.

(11) The department may operate, and seek and accept grants or gifts for the purpose of operating and maintaining, the Padilla Bay estuarine sanctuary and interpretive center.

(12) \$152,000, of which \$76,000 is from the game fund appropriation and \$76,000 is from the general fund—federal appropriation, shall be expended for the maintenance and security of Padilla Bay estuarine sanctuary.

(13) If either Substitute House Bill No. 712 or Second Substitute Senate Bill No. 3722 is enacted before July 1, 1983, the general fund—state appropriation shall be reduced by \$540,000.

NEW SECTION, Sec. 81. FOR THE ENVIRONMENTAL HEARINGS OFFICE

General Fund Appropriation	\$	712,000
----------------------------	----	---------

NEW SECTION, Sec. 82. FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL

General Fund Appropriation—Private/Local	\$	3,473,000
------------------------------------------	----	-----------

NEW SECTION, Sec. 83. FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund Appropriation—State	\$	27,927,000
----------------------------------	----	------------

General Fund Appropriation—Private/Local	\$	566,000
------------------------------------------	----	---------

General Fund—Trust Land Purchase Account Appropriation	\$	7,694,000
--------------------------------------------------------	----	-----------

General Fund—Winter Recreation Parking Account Appropriation	\$	156,000
--------------------------------------------------------------	----	---------

General Fund—Snowmobile Account Appropriation	\$	681,000
-----------------------------------------------	----	---------

General Fund—Outdoor Recreation Account Appropriation	\$	152,000
-------------------------------------------------------	----	---------

Motor Vehicle Fund Appropriation	\$	800,000
----------------------------------	----	---------

Total Appropriation	\$	37,976,000
---------------------	----	------------

The appropriations in this section are subject to the following conditions and limitations:

(1) The commission shall operate the state park system on a modified schedule that will allow for management closures that will facilitate maximum park maintenance efforts.

(2) \$600,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter \_\_\_\_ (2SSB 3624), Laws of 1983.

NEW SECTION, Sec. 84. FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund Appropriation—State	\$	307,000
----------------------------------	----	---------

General Fund Appropriation—Federal	\$	908,000
------------------------------------	----	---------

Total Appropriation	\$	1,215,000
---------------------	----	-----------

NEW SECTION, Sec. 85. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

General Fund—Outdoor Recreation Account Appropriation—		
State	\$	12,025,000

General Fund—Outdoor Recreation Account Appropriation—		
Federal	\$	3,997,000

Total Appropriation	\$	16,022,000
---------------------	----	------------

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$86,000 of the outdoor recreation account—state appropriation shall be used by the committee to contract with the department of natural resources, or others, for the preparation of a comprehensive guide to public parks and recreational sites within Washington as required by RCW 43.99.142. Such guide shall coordinate site data of all state and federal agencies providing public recreational facilities in the state, except that the guide shall be sold for an amount sufficient to cover the costs involved, and to reimburse the outdoor recreation account.

(2) A maximum of \$1,520,000 may be expended for administration.

(3) No grant from the proceeds of general obligation bond sales may be made without matching federal moneys.

**NEW SECTION. Sec. 86. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

General Fund Appropriation . . . . . \$ 3,086,000

The appropriation in this section is subject to the following conditions and limitations: The appropriations are for expenditure by the department of commerce and economic development in fiscal year 1984. Contingent on the provisions of chapter \_\_\_\_ (ESHB 796), Laws of 1983 and chapter 43.88 RCW, any unexpended funds at the end of this period shall be transferred to the department of economic and community development.

**NEW SECTION. Sec. 87. FOR THE DEPARTMENT OF FISHERIES**

General Fund Appropriation—State . . . . . \$ 38,614,000  
 General Fund Appropriation—Federal . . . . . \$ 6,580,000  
 General Fund Appropriation—Private/Local . . . . . \$ 2,083,000  
 Total Appropriation . . . . . \$ 47,277,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$285,000 of the general fund appropriation, of which \$191,000 shall be from federal funds, or so much thereof as may be necessary, shall be expended for enhancement of the marine fish program.

(2) \$109,000 of the general fund—state appropriation shall be expended for the enhancement of the shellfish program.

(3) \$495,000 of the general fund—state appropriation shall be expended for additional salmon production.

(4) \$600,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter \_\_\_\_ (2SSB 3624), Laws of 1983.

**NEW SECTION. Sec. 88. FOR THE DEPARTMENT OF GAME**

General Fund—ORV (Off-Road Vehicle) Account Appropriation . . . . . \$ 159,000  
 Game Fund Appropriation—State . . . . . \$ 35,354,000  
 Game Fund Appropriation—Federal . . . . . \$ 12,124,000  
 Game Fund Appropriation—Private/Local . . . . . \$ 1,318,000  
 Game Fund—Special Wildlife Account Appropriation . . . . . \$ 250,000  
 Total Appropriation . . . . . \$ 49,205,000

The appropriations in this section are subject to the following conditions and limitations: If House Bill No. 105 is enacted before July 1, 1983, the game fund—state appropriation shall be reduced by \$352,000.

**NEW SECTION. Sec. 89. FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund Appropriation—State . . . . . \$ 26,380,000  
 General Fund Appropriation—Federal . . . . . \$ 451,000  
 General Fund—ORV (Off-Road Vehicle) Account Appropriation . . . . . \$ 2,096,000  
 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 . . . . . \$ 61,067,000  
 Total Appropriation . . . . . \$ 102,577,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,727,000 of the general fund—state appropriation shall be expended for the general administration program. Of this amount, \$1,100,000 shall be used solely to carry out the purposes of chapter \_\_\_\_ (2SSB 3624), Laws of 1983; \$50,000 shall be used to conduct a study of the continuous transfer of material and products across state lands; and \$145,000 shall be used solely for the department of natural resources to vacate the first floor of the public lands building.

(2) Not more than \$11,239,000 of the general fund—state appropriation shall be expended for the forest fire control program.

(3) Not more than \$6,787,000 of the general fund—state appropriation shall be expended for the assistance and regulation program.

(4) Not more than \$3,627,000 of the general fund—state appropriation shall be expended for the services program. Of this amount, not more than \$843,000 shall be used to fund ten additional honor camp teams. Funds used within this program for surveying shall be limited to the establishment of boundaries of state property.

**NEW SECTION. Sec. 90. FOR THE DEPARTMENT OF AGRICULTURE**

General Fund Appropriation—State . . . . . \$ 10,166,000  
 General Fund Appropriation—Federal . . . . . \$ 626,000  
 General Fund—Feed and Fertilizer Account Appropriation . . . . . \$ 17,000  
 Fertilizer, Agricultural, Mineral and Lime Fund Appropriation . . . . . \$ 364,000  
 Commercial Feed Fund Appropriation—State . . . . . \$ 365,000  
 Commercial Feed Fund Appropriation—Federal . . . . . \$ 13,000

Seed Fund Appropriation .....	\$	1,029,000
Nursery Inspection Fund Appropriation .....	\$	345,000
Total Appropriation .....	\$	12,925,000

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 \_\_\_\_ (2SSB 3624), Laws of 1983.

(5) \$104,000 is provided solely for a food bank coordinator and related costs.

**NEW SECTION, Sec. 91. FOR THE CONSERVATION COMMISSION**

General Fund Appropriation .....	\$	300,000
----------------------------------	----	---------

**NEW SECTION, Sec. 92. FOR THE WASHINGTON CENTENNIAL COMMISSION**

General Fund Appropriation .....	\$	226,000
----------------------------------	----	---------

**NEW SECTION, Sec. 93. FOR THE STATE PATROL**

General Fund Appropriation .....	\$	11,487,000
----------------------------------	----	------------

The appropriation in this section is subject to the following conditions and limitations:

(1) \$1,400,000 is provided solely for the narcotics section, as authorized by RCW 43.43.610 and 43.43.620 and shall be limited to providing information to law enforcement agencies in the state on narcotic and drug law violations and providing investigative assistance on matters of state-wide concern.

(2) \$600,000 is provided solely for the organized crime intelligence unit, as authorized by RCW 43.43.854 and shall be limited to intelligence gathering activities which assist law enforcement agencies and prosecutors in cases of state-wide significance.

**NEW SECTION, Sec. 94. FOR THE DEPARTMENT OF LICENSING**

General Fund Appropriation .....	\$	12,077,000
----------------------------------	----	------------

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 Approp- riation .....	\$	66,000
--------------------------------------------------------------------------------	----	--------

Game Fund Appropriation .....	\$	187,000
-------------------------------	----	---------

Highway Safety Fund Appropriation .....	\$	36,582,000
-----------------------------------------	----	------------

Highway Safety Fund—Motorcycle Safety Education Account Appropriation .....	\$	237,000
--------------------------------------------------------------------------------	----	---------

Motor Vehicle Fund Appropriation .....	\$	34,693,000
----------------------------------------	----	------------

Total Appropriation .....	\$	89,527,000
---------------------------	----	------------

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.

**NEW SECTION, Sec. 95. FOR THE MARINE EMPLOYEES' COMMISSION**

Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation .....	\$	50,000
--------------------------------------------------------------------------------	----	--------

The appropriation made by this section is for the purpose of carrying out the provisions of chapter 15, Laws of 1983.

**NEW SECTION, Sec. 96. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)**

General Fund Appropriation—State .....	\$	13,381,000
----------------------------------------	----	------------

General Fund Appropriation—Federal .....	\$	6,540,000
------------------------------------------	----	-----------

General Fund—Traffic Safety Education Account Appropriation .....	\$	460,000
-------------------------------------------------------------------	----	---------

Total Appropriation .....	\$	20,381,000
---------------------------	----	------------

The appropriations in this section are subject to the following conditions and limitations:

(1) Not more than \$460,000 may be expended for the state office administration of the traffic safety education program, including inservice training related to instruction in the risks of driving while under the influence of alcohol and other drugs.

(2) Not more than \$244,882 of the general fund—state appropriation shall be expended for a program to provide additional inservice training for math, science, and computer technology instructors.

**NEW SECTION, Sec. 97. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION FORMULA FOR FISCAL YEARS 1984 AND 1985**

General Fund Appropriation ..... \$ 2,912,752,000

The appropriation in this section is subject to the following conditions and limitations:

(1) For purposes of this act and RCW 28A.58.095, the superintendent of public instruction shall ensure that no district provides salary and compensation increases in excess of the amount and/or percentage specified in this act for the 1984-85 school year. A school district may provide salary and compensation increases for the 1983-84 school year so long as the increase does not exceed for the biennium the salary and compensation increases provided in this act for the 1984-85 school year: PROVIDED, That for the 1983-84 and 1984-85 school year, a school district is only authorized to provide a salary increase no greater than 5.0% of the 1982-83 LEAP Document 5 state-wide average salary for state-supported basic education classified staff and 5.0% salary increase using the pertinent program state-wide average salary for the remaining state-supported classified staff; additionally, for the 1983-84 and 1984-85 school year, a school district is only authorized to provide a salary increase no greater than 5.0% of the 1982-83 LEAP Document 5 average state-wide derived base salary times each district's prior year staff mix factor for state-supported basic education certificated staff and also a 5.0% salary increase times the pertinent state-wide average derived base salary improved by the prior year staff mix factor for each district as regards the remaining state-supported certificated staff: PROVIDED FURTHER, That any salary increase greater than that authorized in this subsection shall be in violation of RCW 28A.58.095 and the superintendent of public instruction shall withhold the lesser of five percent or an amount equal to the level of the violation when applied to the district's respective basic education allocation, 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.

(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 \$5,562 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 \$10,598 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 \$15,286,000 outside the basic education formula as follows:

(a) A maximum of \$620,000 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 \$1,650,000 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 may be distributed for school district emergencies.

(d) A maximum of \$4,366,000 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 \$4,658,000 in fiscal year 1985 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.

(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.

#### NEW SECTION. Sec. 98. SALARY AND COMPENSATION DEFINITIONS

For purposes of sections 99 through 111 of this act, the following definitions apply:

(1) "State-supported staff" means state-funded staff in the following programs: Basic education (program 00), general instructional support (program 94), general support (program 97), secondary vocational education (program 30), skill centers (program 45), handicapped (program 21), vocational-technical institutes/adult education (programs 47 and 48), state institutions (program 46), educational service districts, and transportation (program 99).

(2) "Incremental fringe benefits" means 7.0% for certificated staff and 14.0% for classified staff, which percentage shall be applied to salary increases and is for employer contributions to old age survivor's insurance, workers' compensation, unemployment compensation, and, with respect to classified staff, retirement benefits under the public employees' retirement system (chapter 41.40 RCW).

(3) "LEAP Document 5" means the computer tabulation of 1982-83 derived base salaries for basic education certificated staff and 1982-83 average salaries for basic education classified staff, as developed by the legislative evaluation and accountability program committee on April 5, 1983, at 15:57 hours.

#### NEW SECTION. Sec. 99. DETERMINATION OF STAFF MIX FACTOR AND CERTIFICATED BASE SALARY

For purposes of determining the 1983-84, and 1984-85 school year staff mix factor and certificated base salary by district, the following definitions apply:

(1) Basic education certificated staff includes all full time equivalent certificated staff in the following programs:

- (a) Basic education (program 00);
- (b) Secondary vocational education (program 30);
- (c) Skill centers (program 45);
- (d) General instructional support (program 94);
- (e) General support (program 97).

(2) The 1982-83 certificated base salary to be used for basic education allocation purposes shall be that specified in LEAP Document 5.

(3) The staff mix factor table developed by the legislative evaluation and accountability program committee (LEAP) (reference LEAP Document 1) shall be employed to calculate each district's base salary for basic education certificated staff.

(4) The average staff mix factor for 1983-84, and 1984-85 for each district shall be calculated using the staff referenced in subsection (1) of this section for the respective school year and the table referenced in subsection (3) of this section.

#### NEW SECTION. Sec. 100. DETERMINATION OF CLASSIFIED SALARIES



The 1982-83 basic education average classified salary to be used for basic education allocation purposes shall be as specified for each district in LEAP Document 5 and shall be for the total number of such full time equivalent staff in the following programs:

- (1) Basic education (program 00);
- (2) Secondary vocational education (program 30);
- (3) Skill centers (program 45);
- (4) General instructional support (program 94);
- (5) General support (program 97).

**NEW SECTION. Sec. 101. BASIC EDUCATION ALLOCATION—CALCULATION OF CERTIFICATED STAFF COMPENSATION**

(1) The certificated compensation allocation for school year 1983-84 shall be the sum of the following subsections:

(a) Maintenance of compensation shall be calculated using each district's 1982-83 base salary established in LEAP Document 5 times the number of certificated staff units generated in section 97 (2) (a) through (d) of this act in each district times each district's particular 1982-83 average staff mix factor improved by 7.43%;

(b) Health benefits shall be calculated at the rate of \$137 per month per certificated full time equivalent staff units generated in section 97 (2) (a) through (d) of this act.

(2) The certificated compensation allocation for school year 1984-85 shall be the sum of the following subsections:

(a) Maintenance of compensation calculated by using each district's 1982-83 base salary established in LEAP Document 5 times the number of staff units generated in section 97 (2) (a) through (d) of this act times each district's particular 1983-84 average staff mix factor improved by 7.66%;

(b) Health benefits shall be calculated at the rate of \$137 per month per certificated full time equivalent staff units generated in section 97 (2) (a) through (d) of this act.

**NEW SECTION. Sec. 102. BASIC EDUCATION ALLOCATION—CALCULATION OF CLASSIFIED STAFF COMPENSATION**

(1) The 1983-84 basic education classified compensation allocation for each district shall be the sum of the following subsections:

(a) Maintenance of classified compensation shall be calculated using the staff units generated in section 97 (4) (a) through (c) of this act, times each district's 1982-83 average classified salary, established in LEAP Document 5, improved by 16.55%;

(b) Health benefits shall be calculated at the rate of \$137 per month per classified full time equivalent staff units generated in section 97 (4) (a) through (c) of this act.

(2) The 1984-85 basic education classified compensation allocation for each district shall be the sum of the following:

(a) Maintenance of classified compensation shall be calculated using the staff units generated in section 97 (4) (a) through (c) of this act times each district's 1982-83 average classified salary, established in LEAP Document 5, improved by 16.78%;

(b) Health benefits shall be calculated at the rate of \$137 per month per classified full time equivalent staff units generated in section 97 (4) (a) through (c) of this act.

**NEW SECTION. Sec. 103. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SALARY AND COMPENSATION INCREASES**

General Fund Appropriation ..... \$ 71,983,000

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 \$26,118,000 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) A maximum of \$9,703,000 is provided, effective November 1, 1984, for incremental fringe benefits in section 98(2) of this act and 5.0% 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 5.0% salary increase using the pertinent program state-wide average salary for such staff.

(b) The salary increase authorized by subsection (4)(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 (4)(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 year, allocate \$400,000 of the funds allocated by subsection (4)(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.

(5) (a) A maximum of \$36,162,000 is provided effective November 1, 1984, for incremental fringe benefits in section 98(2) of this act and 5.0% of the 1982-83 LEAP Document 5 average state-wide derived base salary times the district's 1993-84 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 5.0% 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 (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.

(6) 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) Districts may grant increases in insurance benefits to achieve a rate of \$159.00 per individual employee in the 1983-84 and 1984-85 school years. For districts having rates greater than \$159.00 per individual employee in 1982-83, any increase granted in 1983-84 or 1984-85 shall constitute salary increase.

(c) Increments granted by school districts to certificated staff 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.

(7) The salary increases authorized in subsections (4) and (5) of this section shall not apply to any employee whose annual salary is \$40,000 or greater. Moneys saved pursuant to this subsection shall be placed in reserve.

**NEW SECTION, Sec. 104. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION**

General Fund Appropriation ..... \$ 168,874,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) A maximum of \$73,364,000 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.

**NEW SECTION, Sec. 105. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-TECHNICAL INSTITUTES**

General Fund Appropriation ..... \$ 53,586,000

The appropriation in this section is subject to the following conditions and limitations:

(1) (a) The 1983-84 school year appropriation is based on an enrollment of 10,638 full time equivalent students at a state support level per student of \$2,461, not including salary and insurance benefit increases.

(b) The 1984-85 school year appropriation is based on an enrollment of 11,255 full time equivalent students at a state support level per student of \$2,491, not including salary and insurance benefit increases.

(2) Not more than \$619,000 of this appropriation may be expended for adult education.

**NEW SECTION, Sec. 106. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL FOOD SERVICE PROGRAMS**

General Fund Appropriation—State ..... \$ 6,000,000  
 General Fund Appropriation—Federal ..... \$ 60,611,000  
 Total Appropriation ..... \$ 66,611,000

**NEW SECTION, Sec. 107. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR HANDICAPPED COSTS**

General Fund Appropriation—State ..... \$ 271,088,000  
 General Fund Appropriation—Federal ..... \$ 27,641,000  
 Total Appropriation ..... \$ 298,729,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$125,586,000 of the general fund—state appropriation may be expended in fiscal year 1983-84.

(2) The superintendent of public instruction shall allocate funds in accordance with LEAP Document 6 for school years 1983-84 and 1984-85.

(3) The superintendent shall establish a new system for district reporting of preschool handicapped enrollment which results in uniform reporting consistent with attendance laws and rules.

**NEW SECTION, Sec. 108. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE TRAFFIC SAFETY PROGRAM**

General Fund—Traffic Safety Education Account Appropriation . . . . . \$ 17,141,000

The appropriation in this section is subject to the following condition or limitation: Not more than \$446,000 may be expended for traffic safety education coordinators.

**NEW SECTION, Sec. 109. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS**

General Fund Appropriation—State . . . . . \$ 4,807,000

State Funding Sources . . . . . \$ 3,664,000

Total Appropriation . . . . . \$ 8,471,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Educational service districts shall be apportioned funds based upon the following schedule:

	General Fund—State	State Funding Sources
E.S.D. No. 101 . . . . .	\$609,000	\$610,000
E.S.D. No. 105 . . . . .	\$584,000	\$292,000
E.S.D. No. 112 . . . . .	\$491,000	\$492,000
E.S.D. No. 113 . . . . .	\$524,000	\$525,000
E.S.D. No. 114 . . . . .	\$451,000	\$226,000
E.S.D. No. 121 . . . . .	\$429,000	\$430,000
E.S.D. No. 123 . . . . .	\$569,000	\$285,000
E.S.D. No. 171 . . . . .	\$696,000	\$349,000
E.S.D. No. 189 . . . . .	\$454,000	\$455,000
Total . . . . .	\$4,807,000	\$3,664,000

(2) School districts in the respective educational service districts shall provide the amounts specified from state funding sources accruing under section 97 of this act on a per capita enrollment basis prior to June 30th of each school year.

(3) Educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.21.088 (3) and (4).

**NEW SECTION, Sec. 110. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR BLOCK GRANTS**

General Fund Appropriation—State . . . . . \$ 45,957,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$27,328,000 may be expended in fiscal year 1983-84.

(2) A maximum of \$4,148,000 may be allocated by the superintendent for the support of specific learning disabled programs for the 1983-84 school year as reassessment of the currently eligible students occurs as a result of changes in state regulations.

(3) Of the appropriation provided by this section, a minimum of \$28,632,000 shall be distributed as follows:

(a) 30% on the basis of full time equivalent enrollment;

(b) 18% on the basis of aid to families with dependent children income enrollment in the prior school year;

(c) 12% on the basis of minority enrollment in the prior school year;

(d) 12% on the basis of gifted enrollment in the prior school year;

(e) 12% on the basis of racial isolation enrollment in the prior school year;

(f) 6% on the basis of limited English speaking enrollment in the prior school year; and

(g) 10% on the basis of Indochinese refugees as defined by federal regulation.

Except as otherwise provided, the categories of enrollment shall be defined in accordance with the allocation methodology developed by the governor's advisory committee for chapter II of the education consolidation and improvement act in effect for the 1982-83 school year.

(4) A maximum of \$12,900,000 may be distributed for the remaining months of the 1982-83 school year.

(5) The funds allocated by subsection (3) of this section may be expended by school districts for provision of special instructional programs, including but not limited to: Remediation assistance programs; cultural enrichment programs; transitional bilingual programs; preschool education programs; alternative education programs; community involvement programs (including PUSH-EXCEL); environmental education programs; education for superior students programs; Indian education programs; Pacific Science Center programs; PROVIDED, That school districts shall expend these funds so that any programs listed in this subsection required to be offered by law shall receive first priority.

(6) The superintendent of public instruction shall contract \$257,000 for services to support an approved gifted program to be conducted at Fort Worden state park.

(7) Salary and benefits increases are included in the funds allocated by this section.

<b>NEW SECTION, Sec. 111. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE INSTITUTIONAL EDUCATION PROGRAMS</b>	
General Fund Appropriation—State .....	\$ 20,857,000
General Fund Appropriation—Federal .....	\$ 5,450,000
Total Appropriation .....	\$ 26,307,000

The appropriations in this section are subject to the following condition or limitation: Not more than \$3,355,783 shall be expended for support of basic education programs for juveniles confined in county detention centers.

**NEW SECTION, Sec. 112. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE ENUMERATED PURPOSES**

General Fund Appropriation—Federal .....	\$ 93,956,000
(1) Education Consolidation and Improvement Act of 1981 .....	\$ 90,483,000
(2) Education of Indian Children .....	\$ 367,000
(3) Adult Basic Education .....	\$ 3,106,000

**NEW SECTION, Sec. 113. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION IN 1982-83 SCHOOL YEAR SALARY INCREASES**

General Fund Appropriation .....	\$ 500,000
----------------------------------	------------

The appropriation in this section is subject to the following conditions and limitations: \$500,000 shall be distributed to eligible school districts on the same basis as \$451,000 was distributed under section 74(10), chapter 50, Laws of 1982 1st ex. sess. (uncodified).

**NEW SECTION, Sec. 114. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE ENCUMBRANCE OF FEDERAL GRANTS**

General Fund Appropriation—Federal .....	\$ 27,380,000
------------------------------------------	---------------

**NEW SECTION, Sec. 115. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS**

General Fund Appropriation .....	\$ 1,100,000
----------------------------------	--------------

**NEW SECTION, Sec. 116. HIGHER EDUCATION**

The appropriations in sections 117 through 123 of this act are subject to the following conditions and limitations:

(1) The community colleges shall not expand ungraded offerings above the level estimated for 1981-82.

(2) No funds may be used for the inauguration or operation of any new degree program until the program has been reviewed and favorably recommended by the council for postsecondary education.

(3) Eastern Washington University shall not expand its enrollment or offerings in Spokane prior to the completion of the Spokane off-campus study by the office of financial management.

(4) The research universities shall expand their self-sustaining continuing education activities for professional engineers.

(5) The boards of regents of the University of Washington and Washington State University may waive all tuition, operating, and service and activities fees for foreign exchange students from Washington's sister state, the Sichuan province of the People's Republic of China. Tuition and fees shall not be waived for more than a total of four students during each year of the biennium. The waiver shall not be subject to the limitations established in RCW 28B.15.740.

(6) As used in sections 117 through 123 of this act:

(a) "Comparable cost" has the meaning used in the calculation of table 2 of the Washington state higher education enrollment forecasts published by the office of financial management in January, 1983.

(b) "Regular academic year enrollments" excludes summer school enrollments except for the community colleges.

(7) The state board shall review and modify its allocation methods for enrollments to recognize any recent change in student demand and needs. In determining demand and needs, the state board shall consider the needs of new industries, with special reference to the semiconductor industry, and any other state economic growth that community college education can enhance in rural as well as metropolitan areas. In addition, reallocation of student enrollments that would maximize the highest quality educational offerings shall be considered. The state board shall report on its allocation method to the ways and means committees of the respective houses by September 1, 1983.

(8) Eastern Washington University, Central Washington University, The Evergreen State College and the state board for community college education shall expend up to \$25,000 each to conduct a program review in the manner of the recently completed review done by Western Washington University. The results of these reviews shall be reported to the ways and means committees of the respective houses by November 1, 1983.

**NEW SECTION, Sec. 117. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**

(1) General Fund Appropriation—Federal .....	\$ 9,000
----------------------------------------------	----------

(2) \$9,665,000 is appropriated from the general fund for the replacement and repair of instructional equipment.

(3) \$3,310,587 is appropriated from the general fund for the small school adjustment to Skagit Valley (fiscal year 1984 only), Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, and Walla Walla Community Colleges. The state board for community college education shall distribute such funds based on a ratio to be determined by the board for students below the 2,500 full time equivalent student enrollment level.

(4) \$232,526,606 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than \$1,400 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 3,657 per year and shall not fall below the overall student-to-faculty ratio as calculated in the governor's budget request.

(5) \$75,086,000 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$452 per year averaged for the biennium. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of state-funded full time equivalent regular academic year enrollments assumed in this act. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment basic direct instruction.

(6) \$114,045,807 is appropriated from the general fund for general university purposes, including plant maintenance, institutional support, state board operations, and instruction.

(7) The appropriations in this section are subject to the following conditions and limitations: The community college system shall maximize enrollment opportunities for vocational students.

NEW SECTION, Sec. 118. FOR THE UNIVERSITY OF WASHINGTON

(1) Accident Fund Appropriation .....	\$	1,563,000
(2) Medical Aid Fund Appropriation .....	\$	1,563,000

(3) \$1,773,000 is appropriated from the general fund for family practice medicine education and residency programs provided for by chapter 70.112 RCW.

(4) \$163,868,272 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than \$3,147 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 1,687 per year and shall not fall below the overall student-to-faculty ratio as calculated in the governor's budget request.

(5) \$65,387,000 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$1,108 per year averaged for the biennium. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of state-funded full time equivalent regular academic year enrollments assumed in this act. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment instruction.

(6) \$165,463,728 is appropriated from the general fund for general university purposes, including research, public service, hospitals, plant maintenance, institutional support, and instruction.

(7) \$6,368,000 is appropriated from the general fund for equipment replacement.

(8) \$3,900,000 is appropriated from the general fund as a special enhancement for enrichment of instructional resources in the undergraduate programs offered by the university.

NEW SECTION, Sec. 119. FOR WASHINGTON STATE UNIVERSITY

(1) \$80,069,896 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than \$2,679 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 886 per year and shall not fall below the overall student-to-faculty ratio as calculated in the governor's budget request.

(2) \$31,692,000 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$990 per year averaged for the biennium. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of state-funded full time equivalent regular academic year enrollments assumed in this act. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment instruction.

(3) \$115,613,104 is appropriated from the general fund for general university purposes including research, public service, plant maintenance, institutional support, and instruction.

(4) \$120,000 is appropriated from the general fund for rodenticide research.

(5) \$2,474,000 is appropriated from the general fund for equipment.

(6) \$2,100,000 is appropriated from the general fund as a special enhancement for enrichment of instructional resources in the undergraduate programs offered by the university.

(7) The appropriations in this section are subject to the following conditions and limitations:

(a) Washington State University shall make available whatever resources are requested by the office of financial management and the council for postsecondary education pursuant to section 120(5)(b) of this act.

(b) Courses classified as "community service" in the public service program shall be provided on a self-supporting basis only.

NEW SECTION. Sec. 120. FOR EASTERN WASHINGTON UNIVERSITY

(1) \$33,304,063 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than \$2,461 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 366 per year and shall not fall below the student-to-faculty ratio as calculated in the governor's budget request.

(2) \$11,675,000 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$833 per year averaged for the biennium. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of state-funded full time equivalent regular academic year enrollments assumed in this act. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment basic direct instruction.

(3) \$22,507,937 is appropriated from the general fund for general university purposes, including research, primary support, institutional support, and instruction.

(4) \$706,000 is appropriated from the general fund for equipment.

(5) The appropriations in this section are subject to the following conditions and limitations:

(a) No operating funds may be used for the lease or maintenance of the new Spokane Center Building.

(b) In order to best utilize facilities housing public university programs within the city of Spokane, the director of financial management shall provide a recommendation on the continuation and future needs of public higher education in the city of Spokane, specifically addressing opportunities for cooperative programs. The staff of the council for postsecondary education shall provide assistance as required by the office of financial management to conduct a program review of Spokane area higher education program needs. The office of financial management shall conduct a financial analysis of the Eastern Washington University Center for Higher Education located in Spokane as part of this recommendation. The office of financial management shall submit the recommendation to the legislature by October 1, 1983.

NEW SECTION. Sec. 121. FOR CENTRAL WASHINGTON UNIVERSITY

(1) \$27,676,185 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than \$2,385 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 307 per year and shall not fall below the student-to-faculty ratio as calculated in the governor's budget request.

(2) \$11,051,000 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$952 per year averaged for the biennium. Support instructional resources shall be calculated as moneys identified as budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of state-funded full time equivalent regular academic year enrollments assumed in this act. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment basic direct instruction.

(3) \$17,509,815 is appropriated from the general fund for general university purposes, including research, plant maintenance, institutional support, and instruction.

(4) \$604,000 is appropriated from the general fund for regional university and college faculty resource equalization. These moneys may be used for faculty salary adjustments and staffing purposes.

(5) \$646,000 is appropriated from the general fund for equipment.

NEW SECTION. Sec. 122. FOR THE EVERGREEN STATE COLLEGE

(1) \$11,129,439 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than \$2,519 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 125 per year and shall not fall below the overall student-to-faculty ratio as calculated in the governor's budget request.

(2) \$7,344,000 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$1,662 per year averaged for the biennium. Support instructional resources shall be calculated as moneys budgeted for libraries, primary support, and student services. Students shall be calculated on the basis of state-funded full time equivalent regular academic year enrollments assumed in this act. Moneys appropriated in this subsection may be transferred from this subsection,

reducing the support instructional resources per student proportionately, to augment basic direct instruction.

(3) \$9,982,561 is appropriated from the general fund for general college purposes, including research, plant maintenance, institutional support, and instruction.

(4) \$462,000 is appropriated from the general fund for regional university and college faculty resource equalization. These moneys may be used for faculty salary adjustments and staffing purposes.

(5) \$579,000 is appropriated from the general fund for equipment.

(6) The appropriations in this section are subject to the following conditions and limitations:

(a) The board of trustees of The Evergreen State College is directed to limit the use of campus space to that amount sufficient to serve enrollments of up to two thousand five hundred students during each year of the biennium.

(b) The board of trustees shall cooperate with the director of the department of general administration, who is directed to use such space in excess of that provided in subsection (6)(a) of this section to reduce the amount of leased space in Thurston County for offices, warehouses, and similar purposes as are required by elected state officials, institutions, departments, commissions, or other state agencies: PROVIDED, That this subsection (6)(b) shall not restrict the ability of The Evergreen State College from regaining that space if the college achieves an enrollment in excess of two thousand five hundred students.

**NEW SECTION, Sec. 123. FOR WESTERN WASHINGTON UNIVERSITY**

(1) \$36,371,222 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than \$2,204 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 421 per year and shall not fall below the overall student-to-faculty ratio as calculated in the governor's budget request.

(2) \$12,551,000 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$760 per year averaged for the biennium. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of state-funded full time equivalent regular academic year enrollments assumed in this act. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment basic direct instruction.

(3) \$17,960,778 is appropriated from the general fund for general university purposes including research, primary support, institutional support, and instruction.

(4) \$1,881,000 is appropriated from the general fund for regional university and college faculty resource equalization. These moneys may be used for faculty salary adjustments and staffing purposes.

(5) \$1,590,000 is appropriated from the general fund for equipment.

**NEW SECTION, Sec. 124. FOR THE COUNCIL FOR POSTSECONDARY EDUCATION**

General Fund Appropriation—State .....	\$	27,508,000
General Fund Appropriation—Federal .....	\$	3,526,000
State Educational Grant Appropriation .....	\$	40,000
Total Appropriation .....	\$	31,074,000

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 \$24,265,713 shall be spent for student aid exclusive of agency administrative costs.

**NEW SECTION, Sec. 125. FOR THE COMMISSION FOR VOCATIONAL EDUCATION**

General Fund Appropriation—State .....	\$	1,986,000
General Fund Appropriation—Federal .....	\$	21,385,000
Total Appropriation .....	\$	23,371,000

The appropriations in this section are subject to the following conditions and limitations:

(1) No state funds may be used by the advisory council for vocational education.

(2) The commission for vocational education shall not require of the state board for community college education or the superintendent of public instruction any report or information which is not expressly required by state or federal law or rules. With any request for information, the commission for vocational education shall note on the request the specific citation of the state or federal requirement which requires the report. The commission shall keep its compliance auditing to the minimum required by federal law or rule.

(3) Before the convening of the 1984 regular session of the legislature, the director of the commission for vocational education shall submit a report to the secretary of the senate and the chief clerk of the house of representatives regarding planned improvement in administration, program planning, and program delivery. The secretary of the senate and the chief clerk

of the house of representatives shall furnish the report to the appropriate standing committees of the legislature, which shall review and comment on the report's recommendations.

**NEW SECTION, Sec. 126. FOR THE HIGHER EDUCATION PERSONNEL BOARD**

Higher Education Personnel Board Service Fund Appropriation ..... \$ 1,309,000

**NEW SECTION, Sec. 127. FOR THE STATE LIBRARY**

General Fund Appropriation—State ..... \$ 7,447,000

General Fund Appropriation—Federal ..... \$ 2,297,000

General Fund Appropriation—Private/Local ..... \$ 99,000

Washington Library Network Computer System Revolving Fund

Appropriation—Private/Local ..... \$ 7,672,000

Total Appropriation ..... \$ 17,515,000

The appropriations in this section are subject to the following conditions and limitations: A minimum of \$75,000 of the general fund—state appropriation shall be expended for matching the costs of providing for the automation of the selection/circulation and inventory system for the Washington library for the blind and physically handicapped.

**NEW SECTION, Sec. 128. FOR THE WASHINGTON STATE ARTS COMMISSION**

General Fund Appropriation—State ..... \$ 2,742,000

General Fund Appropriation—Federal ..... \$ 800,000

Total Appropriation ..... \$ 3,542,000

**NEW SECTION, Sec. 129. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation ..... \$ 561,000

**NEW SECTION, Sec. 130. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation ..... \$ 471,000

**NEW SECTION, Sec. 131. FOR THE STATE CAPITOL HISTORICAL ASSOCIATION**

General Fund Appropriation ..... \$ 450,000

General Fund—State Capitol Historical Association Museum

Account Appropriation ..... \$ 90,000

Total Appropriation ..... \$ 540,000

**NEW SECTION, Sec. 132. FOR THE TEMPORARY COMMITTEE ON EDUCATION POLICY,**

STRUCTURE AND MANAGEMENT

General Fund Appropriation—State ..... \$ 600,000

General Fund Appropriation—Private/Local ..... \$ 34,000

Total Appropriation ..... \$ 634,000

**NEW SECTION, Sec. 133. FOR THE GOVERNOR—EMERGENCY FUND**

General Fund Appropriation—State ..... \$ 2,000,000

The appropriation in this section is for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency.

**NEW SECTION, Sec. 134. FOR THE GOVERNOR—SALARY AND INSURANCE CONTRIBUTION**

INCREASES

(1) There is appropriated for the four-year institutions of higher education from the General Fund ..... \$ 16,217,000

(2) There is appropriated for the community college system from the General Fund ..... \$ 9,179,000

(3) There is appropriated for the department of corrections from the General Fund ..... \$ 5,488,000

(4) There is appropriated for the department of social and health services from the:

General Fund—State ..... \$ 11,453,000

General Fund—Federal ..... \$ 6,951,000

(5) There is appropriated for other state agencies from the:

General Fund—State ..... \$ 7,864,000

General Fund—Federal ..... \$ 1,739,000

(6) There is appropriated for all state agencies from the Special Fund Salary and Insurance Contribution Increase Revolving Fund ..... \$ 20,354,000

(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 \$3,140,000 (of which \$3,128,000 is from the general fund) 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. Any return of funds resulting from favorable claims experience during the 1983-85 biennium shall be held in reserve within the state employees' insurance fund.

(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) The compensation increases authorized in subsections (7) (a) and (b), and (8) of this section shall not apply to any state employee whose annual salary is \$40,000 or greater. Money saved pursuant to this subsection shall be placed in reserve.

(10) 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.

**NEW SECTION. Sec. 135. FOR THE GOVERNOR—SALARY INCREASES**

General Fund Appropriation .....	\$	685,000
Special Fund Salary Increase Revolving Fund Appropriation .....	\$	825,000
Department of Personnel Service Fund Appropriation .....	\$	14,000
Higher Education Personnel Board Service Fund Appropriation .....	\$	6,000
Total Appropriation .....	\$	1,530,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The state personnel board and the higher education personnel board shall develop a plan for effecting a salary increase of \$100 a year for all classes and employees indexed to salary survey benchmark classes or occupational groups averaging eight or more salary ranges below the comparable worth salary practice line as measured in the 1982 comparable worth study. Such plan shall be implemented on July 1, 1984.

(2) To facilitate payment of state employee salary increases from special funds, the state treasurer is directed to transfer sufficient amounts from each special fund to the special fund salary increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

(3) The state personnel board and the higher education personnel board shall conduct additional point evaluations as necessary.

**NEW SECTION. Sec. 136. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—RETIREMENT CONTRIBUTIONS**

General Fund Appropriation .....	\$	506,450,000
----------------------------------	----	-------------

The appropriation in this section is subject to the following conditions and limitations:

(1) Not more than \$800,000 may be expended from the general fund appropriation for contributions to the judicial retirement system.

(2) Not more than \$550,000 may be expended from the general fund appropriation for contributions to the judges' retirement system.

(3) Not more than \$192,600,000 may be expended from the general fund appropriation for contribution to the law enforcement officers' and fire fighters' retirement system.

(4) Not more than \$312,500,000 may be expended from the general fund appropriation for contribution to the teachers' retirement system.

**NEW SECTION. Sec. 137. FOR THE STATE TREASURER—TRANSFERS**

General Fund—Criminal Justice Training Account Appropriation: For transfer: (1) To the Institutional Impact Account, an amount up to \$946,000; and (2) to the Crime Victims Compensation Account, an amount up to \$1,924,000, according to schedules provided by the office of financial management .....	\$	2,870,000
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----	-----------

Motor Vehicle Fund Appropriation: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the department of

transportation and the Washington state patrol during the period July 1, 1983, through June 30, 1985	\$	6,427,322
General Fund Appropriation: For transfer to the Tort Claims Revolving Fund to pay tort claim settlements for the department of corrections in the Berry case and for the commission for the blind in the Engles case	\$	529,000
Perpetual Maintenance Account Appropriation: For transfer to the Site Closure Account as authorized by the director of financial management for low-level nuclear waste site closure purposes	\$	1,000,000
State Treasurer's Service Fund Appropriation: For transfer to the general fund on or before July 20, 1985, an amount up to \$11,450,000 in excess of the cash requirements in the State Treasurer's Service Fund for fiscal year 1986, for credit to the fiscal year in which earned	\$	11,450,000
<b>NEW SECTION, Sec. 138. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—TRANSFERS</b>		
General Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$	12,000
Motor Vehicle Fund—State Patrol Highway Account Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$	51,000
Teachers' Retirement Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$	2,998,000
<b>NEW SECTION, Sec. 139. FOR BELATED CLAIMS</b>		
(1) There is appropriated to the office of financial management for payment of supplies and services furnished in previous biennia, from the General Fund	\$	905,000
(2) The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated, for the period from the effective date of this act to June 30, 1985, except as otherwise noted.		
To reimburse the general fund for expenditures from belated claims appropriations to be disbursed on vouchers approved by the office of financial management:		
General Fund—Criminal Justice Training Account	\$	49,590
General Fund—Off-Road Vehicle Account	\$	141
General Fund—Snowmobile Account	\$	2,027
General fund—Institutional Impact Account	\$	13,400
General Fund—Hospital Commission Account	\$	134
General Fund—State Timber Tax Reserve Account	\$	168
General Fund—Professional Engineers' Account	\$	6,063
General Fund—Real Estate Commission Account	\$	1,028
General Fund—Capital Building Construction Account	\$	1,046
General Fund—Motor Transport Account	\$	74,404
General Fund—Resource Management Cost Account	\$	1,728
General Fund—Litter Control Account	\$	18
General Fund—Traffic Safety Education Account	\$	379
General Fund—L.I.R. Waste Disposal Account	\$	11,079
General Fund—State Building Construction Account	\$	2,860
General Fund—Outdoor Recreation Account	\$	7,876
General Fund L.I.R. Water Supply Facilities Account	\$	1,715
General Fund—L.I.R. Account—Public Recreation Facilities	\$	3,173
Electrical License Fund	\$	4,489
State Game Fund	\$	15,414
Highway Safety Fund	\$	20,897
Motor Vehicle Fund	\$	55,381
Public Service Revolving Fund	\$	5,488
State Treasurer's Service Fund	\$	25,108
Legal Services Revolving Fund	\$	822
General Administration Facilities and Services Revolving Fund	\$	615
Liquor Revolving Fund	\$	15,589
Accident Fund	\$	11,904
Medical Aid Fund	\$	16,629
Plumbing Certificate Fund	\$	147
Washington Library Network Computer System Revolving Fund	\$	23
Pressure System Safety Fund	\$	13
Total Appropriation	\$	349,348

**NEW SECTION, Sec. 140. FOR SUNDRY CLAIMS**

The following sums, or so much thereof as are necessary, are appropriated from the general fund, unless otherwise indicated, 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, except as otherwise provided, as follows:

(1) Michael Dittman, et al.; Payment of judgment in Dittman v. Western Washington University, United States District Court, Western District of Washington, Cause No. C-79-1189V	\$	46,000
(2) Spokane Arcades, Inc., et al.; Payment of judgment in Spokane Arcades v. Ray, United States District Court, Eastern District of Washington, Cause No. C-77-353	\$	15,440
(3) Seattle School District No. 1, et al.; Payment of judgment in Seattle School District No. 1 v. State of Washington, United States Court of Appeals, 9th Circuit, Cause Nos. 79-4643, 79-4655, 79-4676, 79-4740, 79-4801, and 79-4802	\$	49,929
(4) Ray Beller, Compensation for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund	\$	1,000
(5) Dean C. Farnens, Compensation for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund	\$	13,971.49
(6) Mrs. Tyler C. (Betty) Moffett, Payment in full of deceased husband's retirement contributions	\$	21,154.99
(7) King county, In settlement of all claims for witness fees pursuant to RCW 10.46.230 as set forth in King County v. State, Superior Court for King County, Cause No. 83-2-02342-4	\$	37,995.07
(8) United Nursing Homes, Inc. et al.; Payment to be disbursed in accordance with settlement judgment in United Nursing Homes, Inc. v. Thompson, Superior Court for Thurston County, Cause No. 80-2-01170-4	\$	1,663,355.00
(9) Jerry P. Huntley, In settlement of all claims for expenses in State v. Huntley, pursuant to RCW 9.01.200	\$	31,100.00

NEW SECTION, Sec. 141. FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution	\$	4,672,212
General Fund Appropriation for refund of deferred property tax	\$	313,000
General Fund Appropriation for public utility district excise tax distribution	\$	22,038,408
General Fund Appropriation for prosecuting attorneys' salaries	\$	1,681,453
General Fund Appropriation for motor vehicle excise tax distribution	\$	37,458,038
General Fund Appropriation for local mass transit assistance	\$	124,194,643
General Fund Appropriation for camper and travel trailer excise tax distribution	\$	1,509,071
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

NEW SECTION, Sec. 142. FOR THE STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION

Forest Reserve Fund Appropriation for forest reserve fund distribution	\$	16,000,000
General Fund Appropriation for federal flood control funds distribution	\$	21,000
General Fund Appropriation for federal grazing fees distribution	\$	59,000
General Fund—Geothermal Account Appropriation	\$	253,000
Total Appropriation	\$	16,333,000

NEW SECTION, Sec. 143. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST

Loan Principal and Interest Fund Appropriation	\$	40,500,000
Fisheries Bond Redemption Fund 1977 Appropriation	\$	3,565,497
Salmon Enhancement Bond Redemption Fund 1977 Appropriation	\$	4,240,466

Higher Education Refunding Bond Redemption Fund 1977 Appropriation .....	\$	8,778,253
Fire Service Training Center Bond Retirement Fund 1977 Appropriation .....	\$	1,641,000
Highway Bond Retirement Fund Appropriation .....	\$	124,040,434
Indian Cultural Center Construction Bond Redemption Fund 1976 Appropriation .....	\$	238,000
Higher Education Bond Redemption Fund 1977 Appropriation .....	\$	6,489,282
Ferry Bond Retirement Fund 1977 Appropriation .....	\$	27,329,487
Emergency Water Projects Bond Retirement Fund 1977 Appropriation .....	\$	2,582,560
General Administration Building Bond Redemption Fund Appropriation .....	\$	602,425
Juvenile Correctional Institutional Building Bond Redemption Fund 1963 Appropriation .....	\$	642,900
Public School Building Bond Redemption Fund 1965 Appropriation .....	\$	2,468,360
State Building and Higher Education Construction Bond Redemption Fund 1965 Appropriation .....	\$	3,196,170
Spokane River Toll Bridge Account Appropriation .....	\$	883,763
Public School Building Bond Redemption Fund 1963 Appropriation .....	\$	8,817,239
Higher Education Bond Retirement Fund 1979 Appropriation .....	\$	23,378,935
State General Obligation Bond Retirement Fund 1979 Appropriation .....	\$	144,440,039
Fisheries Bond Redemption Fund 1976 Appropriation .....	\$	764,596
State Building Bond Redemption Fund 1967 Appropriation .....	\$	656,310
Community College Capital Construction Bond Redemption Fund 1975, 1976, 1977 Appropriation .....	\$	16,102,085
Common School Building Bond Redemption Fund 1967 Appropriation .....	\$	6,863,935
Outdoor Recreation Bond Redemption Fund 1967 Appropriation .....	\$	6,239,010
Water Pollution Control Facilities Bond Redemption Fund 1967 Appropriation .....	\$	3,949,873
State Building and Higher Education Construction Bond Redemption Fund 1967 Appropriation .....	\$	10,108,978
State Building and Parking Bond Redemption Fund 1969 Appropriation .....	\$	2,454,980
Waste Disposal Facilities Bond Redemption Fund Appropriation .....	\$	57,317,854
Water Supply Facilities Bond Redemption Fund Appropriation .....	\$	11,995,000
Social and Health Services Facilities 1972 Bond Redemption Fund Appropriation .....	\$	3,720,331
Recreation Improvements Bond Redemption Fund Appropriation .....	\$	5,998,465
Community College Capital Improvement Bond Redemption Fund 1972 Appropriation .....	\$	7,497,928
State Building Authority Bond Redemption Fund Appropriation .....	\$	9,660,830
Office-Laboratory Facilities Bond Redemption Fund Appropriation .....	\$	270,870
University of Washington Hospital Bond Retirement Fund 1975 Appropriation .....	\$	1,156,976
Washington State University Bond Redemption Fund 1977 Appropriation .....	\$	561,675
Higher Education Bond Redemption Fund 1975 Appropriation .....	\$	2,165,125
State Building Bond Redemption Fund 1973 Appropriation .....	\$	3,845,698
State Building Bond Retirement Fund 1975 Appropriation .....	\$	1,363,500
State Higher Education Bond Redemption Fund 1973 Appropriation .....	\$	4,279,878
Social and Health Services Bond Redemption Fund 1976 Appropriation .....	\$	9,486,418
State Building (Expo 74) Bond Redemption Fund 1973A Appropriation .....	\$	379,058
Community College Refunding Bond Retirement Fund 1974 Appropriation .....	\$	9,499,105
State Higher Education Bond Redemption Fund 1974 Appropriation .....	\$	1,208,500
Total Appropriation .....	\$	581,381,788

**NEW SECTION.** Sec. 144. No appropriations in this act may be used for payment of contributions to the public employees' retirement system in excess of amounts necessary to offset the cost of benefits earned during the 1983-85 biennium. The director of the department of retirement systems shall establish contribution rates pursuant to chapter 41.40 RCW consistent with this section: PROVIDED, That the director may establish contribution rates for political subdivisions which include an allowance for the cost of any post-retirement adjustment granted in the 1983 regular session of the legislature under chapter 41.40 RCW.

**NEW SECTION.** Sec. 145. Notwithstanding the provisions of chapter 82, Laws of 1973 1st ex. sess., the house of representatives, the senate, and the permanent statutory committees shall pay expenses quarterly to the department of general administration facilities and services

revolving fund for services rendered by the department for operations, maintenance, and supplies relating to buildings, structures, and facilities utilized by the legislature for the biennium beginning July 1, 1983.

NEW SECTION, Sec. 146. Whenever allocations are made from the governor's emergency fund appropriation to an agency which is financed in whole or in part by other than general fund moneys, the director of financial management may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance the agency. No appropriation shall be necessary to effect such repayment.

NEW SECTION, Sec. 147. In addition to the amounts appropriated in this act for revenue for distribution, bond retirement and interest, transfers, interest on registered warrants, and certificates of indebtedness, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under any proper bond covenant made in accordance with law.

NEW SECTION, Sec. 148. Amounts received by an agency as reimbursements pursuant to RCW 39.34.130 shall be considered as returned loans of materials supplied or services rendered. Such amounts may be expended as a part of the original appropriation of the fund to which it belongs, without further or additional appropriation, subject to conditions and procedures prescribed by the director of financial management, which shall provide for determination of full costs, disclosure of such reimbursements in the governor's budget, maximum interagency usage of data processing equipment and services, and such restrictions as will promote more economical operations of state government without incurring continuing costs beyond those reimbursed.

NEW SECTION, Sec. 149. Unless the context clearly requires otherwise, the definitions in this section apply throughout this act.

(1) "Provided solely" means that the specified amount may be spent only for the specified purpose. Unless otherwise stated in this act, any portion of an amount provided solely for a specified purpose which is unnecessary to fulfill the specified purpose shall lapse.

(2) "Lapse" means the termination of authority to spend an appropriation or portion of an appropriation.

(3) "FTE" means full time equivalent.

NEW SECTION, Sec. 150. 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. 151. 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."

#### MOTION

On motion of Senator McDermott, the rules were suspended, Engrossed House Bill No. 1079, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

Senators Peterson, Conner and Boltiger demanded the previous question and the demand was not sustained on a rising vote.

Further debate ensued.

#### POINT OF INQUIRY

Senator Barr: "Senator McDermott, in section 97, dealing with the Superintendent of Public Instruction, on lines 23 to 26 on page 49, could you explain to me the intent of those four lines and, specifically, would that make money available at the local level for the teachers to bargain for?"

Senator McDermott: "Senator Barr, the language on lines 23, 24, 25 and 26 allows a school district--if they have money available--to give a salary increase earlier than that specified in other sections of this bill, but they cannot exceed the amount of money allowed by this budget in terms of overall percentage increase."

#### POINT OF INQUIRY

Senator Fuller: "Senator McDermott, one of the largest school districts in the 20th district, Senator, is the one that's a so-called reliance district. Now, I don't know the budget awfully well, but can you tell me if all of these districts that made contracts in excess of what they were allowed in the previous budgets, are being taken care of in an even-handed manner, or are some being taken care of better than others--or are they being taken care of at all?"

Senator McDermott: "When your side of the aisle created these reliance districts, you made a five hundred thousand dollar appropriation to deal with those

known districts. That was done back in 1982. We have made another five hundred thousand dollar appropriation to deal with other districts which we have now become aware of. It does not fully fund the reliance districts, but it takes partial payment for the problems created in the last two years."

Further debate ensued.

#### POINT OF INQUIRY

Senator Patterson: "Senator McDermott, I am reading on page 73 and then over on top of page 74, where we're talking about the '82 salary survey and your putting into that section 'rounding to the next range if the application results in a fractional range--and so forth.' I am wondering how the inclusion of TA's and RA's at the four-year institutions--what kind of salary increase factor would they have appropriated to them when they're not included in the salary survey? I'm just trying to find out an answer to some questions I'm going to get. What kind of percentage factor is that and how much money is in there to fund that?"

Senator McDermott: "Senator Patterson, it is my understanding that it was calculated on a three and one-half percent salary increase for TA's and RA's."

The President declared the question before the Senate to be the roll call on final passage of Engrossed House Bill No. 1079, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed House Bill No. 1079, as amended by the Senate, and the bill failed to pass the Senate by the following vote: Yeas, 23; nays, 21; excused, 5.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, McDermott, McManus, Moore, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 23.

Voting nay: Senators Barr, Bluechel, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Newhouse, Owen, Patterson, Quigg, Rasmussen, Sellar, Zimmerman - 21.

Excused: Senators Benitz, Hurley, Metcalf, Pullen, von Reichbauer - 5.

ENGROSSED HOUSE BILL NO. 1079, as amended by the Senate, having failed to receive the constitutional majority, was declared lost.

#### NOTICE FOR RECONSIDERATION

Having voted on the prevailing side, Senator Patterson served notice that he would move to immediately reconsider the vote by which Engrossed House Bill No. 1079, as amended by the Senate, failed to pass the Senate.

#### MOTION

At 8:55 p.m., on motion of Senator Bottiger the Senate was declared to be at ease.

The President called the Senate to order at 9:58 p.m.

#### PARLIAMENTARY INQUIRY

Senator Bottiger: "Mr. President, as I understand, Senator Patterson made a motion to immediately reconsider the vote by which Engrossed House Bill No. 1079 failed to pass. Senator Patterson is not present. May I make the motion for him to place that before the Senate?"

#### REPLY BY THE PRESIDENT

President Cherberg: "The motion is before the Senate already."

Senator Bottiger: "Mr. President, I move that we consider that motion."

The President declared the question before the Senate to be the motion by Senator Patterson to immediately reconsider the vote by which Engrossed House Bill No. 1079, as amended by the Senate, failed to pass the Senate.

The motion by Senator Patterson carried and the Senate resumed consideration of Engrossed House Bill No. 1079, as amended by the Senate, on reconsideration.

The President declared the question before the Senate to be the roll call on final passage of Engrossed House Bill No. 1079, as amended by the Senate, on reconsideration.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed House Bill No. 1079, as amended by the Senate, on reconsideration, and the bill passed the Senate by the following vote: Yeas, 25; nays, 19; excused, 5.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, McDermott, McManus, Moore, Owen, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 25.

Voting nay: Senators Barr, Bluechel, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Newhouse, Patterson, Quigg, Sellar, Zimmerman - 19.

Excused: Senators Benitz, Hurley, Metcalf, Pullen, von Reichbauer - 5.

ENGROSSED HOUSE BILL NO. 1079, as amended by the Senate, on reconsideration, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Senator Shinpoch, Engrossed House Bill No. 1079 was ordered immediately transmitted to the House.

## MESSAGE FROM THE HOUSE

May 19, 1983

Mr. President:

The House has adopted the Report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3434 and has granted said committee the powers of Free Conference, and the Report of the Conference Committee and the bill are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## REPORT OF CONFERENCE COMMITTEE

May 19, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred, ENGROSSED SUBSTITUTE SENATE BILL NO. 3434, modifying definition of "member" for gambling enforcement purposes, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by: Senators Vognild, Sellar and Williams; Representatives Appelwick, Niemi and Barrett.

## MOTION

On motion of Senator Vognild, the Report of the Conference Committee on Engrossed Substitute Senate Bill No. 3434 was not adopted and the powers of Free Conference were not granted in order that the Conference Committee may submit a revised Conference Committee Report.

## REPORT OF CONFERENCE COMMITTEE

May 19, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred, ENGROSSED SUBSTITUTE HOUSE BILL NO. 240, revising procedures for mail voting, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill as follows:

Strike the entire bill and insert the following:

AN ACT Relating to voting by mail; amending section 6, chapter 109, Laws of 1967 ex. sess. as amended by section 2, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.120; amending section 7, chapter 109, Laws of 1967 ex. sess. and RCW 29.36.130; amending section 29.45.010, chapter 9, Laws of 1965 as amended by section 1, chapter 101, Laws of 1965 ex. sess. and RCW 29.45.010; adding new sections to chapter 29.36 RCW; repealing section 8, chapter 109, Laws of 1967 ex. sess., section 3, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.140; and prescribing penalties.

Sec. 1. Section 6, chapter 109, Laws of 1967 ex. sess. as amended by section 2, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.120 are each amended to read as follows:

At any primary or election, general or special, the county auditor (as ex officio supervisor of elections, or other officer having jurisdiction of the election;) may, (with regard to) in any precinct having (less) fewer than one hundred registered voters at the time of closing of (the) voter registration (files) as provided in RCW 29.07.160, (order) conduct the voting in (said) that precinct (for the next ensuing election, whether a primary election, general election, special election, or any other election, be) by mail ballot (only). For any precinct having fewer than one hundred registered voters where voting at a primary or a general election is conducted by mail ballot, the county auditor shall, not less than fifteen days prior to the date of that primary or general election, mail or deliver to each registered voter within that precinct a notice that the voting in that precinct will be by mail ballot, an application form for a mail ballot, and a postage prepaid envelope, preaddressed to the issuing officer. A mail ballot shall be issued to each voter who returns a properly executed application to the county auditor no later than the day of that primary or general election. Such application is valid for all subsequent mail ballot elections in that precinct so long as the voter remains qualified to vote.

At any nonpartisan special election not being held in conjunction with a state primary or general election, the county, city, town, or district requesting the election pursuant to RCW 29.13.010 or 29.13.020 may also request that the election be conducted by mail ballot. The county auditor may honor the request or may determine that the election is not to be conducted by mail ballot. The decision of the county auditor in this regard is final.

In no instance shall any special election be conducted by mail ballot in any precinct with more than one hundred registered voters if candidates for partisan office are to be voted upon.

(Whenever such officer shall so order, he) For all special elections not being held in conjunction with a state primary or state general election where voting is conducted by mail ballot, the county auditor shall, not less than fifteen days prior to the date of such election, mail or deliver to each registered voter (within said precinct his notice that voting within said precinct shall be by mail voting only. Accompanied with such notice shall be an application form together with a postage prepaid) a mail ballot and an envelope, preaddressed to the issuing officer. (In order to be honored such application form, properly executed, must reach the issuing officer no later than the day of the election concerned.

The county auditor may continue to honor such application for all subsequent elections held in the same manner as long as the voter concerned remains qualified to vote at such elections:)

NEW SECTION. Sec. 2. There is added to chapter 29.36 RCW a new section to read as follows:

For any special election conducted by mail, the county auditor shall send a mail ballot with a return identification envelope to each registered voter of the district in which the special election is being conducted not sooner than the twenty-fifth day before the date of the election and not later than the fifteenth day before the date of the election. The envelope in which the ballot is mailed shall be clearly marked "Do Not Forward - Return to Sender - Return Postage Guaranteed."

NEW SECTION. Sec. 3. There is added to chapter 29.36 RCW A new section to read as follows:

(1) If a county auditor conducts an election by mail, the county auditor shall designate the county auditor's office or a central location in the district in which the election is conducted as the single place to obtain a replacement ballot. The county auditor also shall designate one or more places for the deposit of ballots not returned by mail. The places designated under this section shall be open on the date of the election for a period of thirteen hours, beginning at 7:00 a.m. and ending at 8:00 p.m.

(2) A registered voter may obtain a replacement ballot as provided in this subsection if the ballot is destroyed, spoiled, lost, or not received by the voter. A registered voter seeking a replacement ballot shall sign a sworn statement that the ballot was destroyed, spoiled, lost, or not received and shall present the statement to the county auditor no later than the day of the election. Each spoiled ballot must be returned to the county auditor before a new one is issued. The county auditor shall keep a record of each replacement ballot provided under this subsection.

NEW SECTION. Sec. 4. There is added to chapter 29.36 RCW a new section to read as follows:

Upon receipt of the mail ballot, the voter shall mark it, sign the return identification envelope supplied with the ballot, and comply with the instructions provided with the ballot. The voter may return the marked ballot to the county auditor by United States mail or to any other place of deposit designated by the county auditor. The ballot must be returned in the return identification envelope. If mailed, a ballot must be postmarked not later than the date of the election. Otherwise, the ballot must be deposited at the office of the county auditor or the designated place of deposit not later than 8:00 p.m. on the date of the election.

Sec. 5. Section 7, chapter 109, Laws of 1967 ex. sess. and RCW 29.36.130 are each amended to read as follows:

All (such absentee) mail ballots ((as)) authorized by RCW 29.36.120 shall contain the same offices, names of candidates, and propositions ((if any)) to be voted upon, including precinct



offices, as if the ballot had been voted in person at the polling place. Except as otherwise provided in RCW 29.36.120 (~~through 29.36.140~~) and sections 2 through 4 and 6 of this act, such (~~absentee~~) mail ballots shall be issued (~~(-completed, returned, received, opened, counted,) and canvassed~~) (~~(-recorded and handled)~~) in the same manner as (~~(any)~~) absentee ballots issued pursuant to the request of the voter (~~(-PROVIDED, That)~~). The county canvassing board, at the request of the county auditor, may direct that (~~such~~) mail ballots be counted on the day of the election. If such count is made, it must be done in secrecy in the presence of at least three election officials and the results not revealed to any unauthorized person until the polls have closed. If electronic vote tallying devices are used, political party observers shall be afforded the opportunity to be present, and a test of the equipment must be performed as required by RCW 29.34.163 prior to the count of ballots. Political party observers shall be allowed to count by hand ballots from up to ten precincts selected by the observers. Any violation of the secrecy of such count shall be subject to the same penalties as provided for in RCW 29.54.035.

NEW SECTION. Sec. 6. There is added to chapter 29.36 RCW a new section to read as follows:

(1) A mail ballot shall be counted only if it is returned in the return identification envelope, if the envelope is signed by the registered voter to whom the ballot is issued, and if the signature is verified as provided in this subsection. The county auditor shall verify the signature of each voter on the return identification envelope with the signature on the voter's registration record. If the county auditor determines that a registered voter to whom a replacement ballot has been issued has voted more than once, the county auditor shall not count any ballot cast by that voter. The county auditor must notify both the county prosecuting attorney and the state attorney general of every instance in which a voter has voted more than once.

(2) Any mail ballot may be challenged in the same manner as an absentee ballot.

Sec. 7. Section 29.45.010, chapter 9, Laws of 1965 as amended by section 1, chapter 101, Laws of 1965 ex. sess. and RCW 29.45.010 are each amended to read as follows:

At least ten days prior to any primary or election, general or special, the (~~officer having jurisdiction of the election~~) county auditor shall appoint one inspector and two judges of election for each precinct (or each combination of precincts temporarily consolidated as a single precinct for (~~an~~) that primary or election), other than those precincts designated as vote-by-mail precincts pursuant to RCW 29.36.120, from among the names contained on the lists (~~(therefor)~~) furnished by the chairman of the county central committee of the political parties entitled to representation thereon.

Such precinct election officers, whenever possible, should be residents of the precinct in which they serve (~~(-but if extenuating circumstances arise, they may be assigned to serve in a different precinct)~~).

The (~~officer having jurisdiction of the election~~) county auditor shall designate the inspector and one judge in each precinct from that political party which polled the highest number of votes in the county for its candidate for president at the last preceding (~~general~~) presidential election (~~(at which a president of the United States was voted for)~~) and one judge from that political party polling the next highest number of votes in the county for its candidate for president at the same election.

This shall be the exclusive method for the appointment of inspectors and judges to serve as precinct election officers at any primary or election, general or special, and shall supersede the provisions of any and all other statutes, whether general or special in nature, having different requirements.

NEW SECTION. Sec. 8. There is added to chapter 29.36 RCW a new section to read as follows:

The secretary of state shall adopt rules and regulations not inconsistent with the provisions of this chapter to:

- (1) Ensure that standards and procedures are established to prevent fraud and to facilitate the accurate processing and canvassing of mail ballots;
- (2) Ensure that standards and procedures are established to guarantee the secrecy of the ballot;
- (3) Ensure that uniformity exists among the counties of the state in the conduct of mail ballot elections.

NEW SECTION. Sec. 9. There is added to chapter 29.36 RCW a new section to read as follows:

A person who wilfully violates any provision of this chapter is guilty of a class C felony.

NEW SECTION. Sec. 10. Section 8, chapter 109, Laws of 1967 ex. sess., section 3, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.140 are each repealed.

MOTION

On motion of Senator Talmadge, the Report of the Conference Committee on Engrossed Substitute House Bill No. 240 was adopted and the powers of Free Conference were granted.

## MOTION

At 10:17 p.m., on motion of Senator Shinpoch, the Senate adjourned until 9:00 a.m., Saturday, May 21, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

## TWENTY-SEVENTH DAY

---

### MORNING SESSION

---

Senate Chamber, Olympia, Saturday, May 21, 1983

The Senate was called to order at 9:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Barr, Bauer, Benitz, Bottiger, Goltz, Haley, Hansen, Hemstad, Hurley, Jones, Kiskaddon, Metcalf, Pullen, Rasmussen, Talmadge, von Reichbauer and Wojahn. On motion of Senator Vognild, Senators Bottiger, Goltz, Hurley and Talmadge were excused.

The Sergeant at Arms Color Guard, consisting of Pages Ron Eckroth and Linda Siefert, presented the Colors. Reverend James H. Blundell, rector of St. John's Episcopal Church of Olympia, offered the prayer.

#### MOTION

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

#### MOTION

On motion of Senator Shinpoch, the Senate advanced to the eighth order of business.

#### MOTION

Senator Fleming moved that the following resolution be adopted:

#### SENATE RESOLUTION 1983-98

By Senators Fleming, Talmadge, Shinpoch and Patterson

WHEREAS, The state and federal government provide substantial subsidies to the Metropolitan Municipal Corporation's (METRO) operations; and

WHEREAS, State support of METRO continues to grow through motor vehicle excise tax revenue, state authorized local sales tax collections, and state authorized bonds; and

WHEREAS, Federal support is declining at a time when METRO's deficits are growing and existing needs remain unmet; and

WHEREAS, Given the level of state support, the efficiency of METRO's operations, the responsiveness of the entity to community needs, and the financial soundness of the organization is of significance to the citizens of this state;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That the Senate Committee(s) on Ways and Means (and Local Government) undertake a study of METRO to:

- 1) Determine the level and need for continuing state subsidies to Metro;
  - 2) Evaluate the forms in which state subsidies should take;
  - 3) Review the feasibility and desirability of merging METRO into existing governmental structure of King County;
  - 4) Examine the fiscal integrity and fiscal efficiency of the entity's operations;
- and

BE IT FURTHER RESOLVED, That the Committee(s) on Ways and Means (and Local Government) shall submit the results of its study, including any legislative recommendations, to the Senate before December 31, 1983.

Debate ensued.

The President declared the question before the Senate to be adoption of Senate Resolution 1983-98.

The motion by Senator Fleming carried and the resolution was adopted.

#### MOTION

On motion of Senator Warnke, the following resolution was adopted:

## SENATE RESOLUTION 1983-99

By Senator Warnke

WHEREAS, Many state agencies establish policies which significantly affect the contribution of tourism to our economy; and

WHEREAS, Coordination of agency effort is essential if Washington hopes to realize the great potential of attracting visitors to this state;

NOW, THEREFORE, BE IT RESOLVED, That the Senate Committee on State Government be directed to examine:

(1) The impact of state agency policy and procedures on tourism;

(2) Potential methods for improving agency cooperation to avoid conflicting or overlapping policies affecting our visitors' program; and

(3) The most effective means of developing tourism which will preserve our state's unique resources and quality of life;

BE IT FURTHER RESOLVED, That state agencies, including but not limited to the Departments of Commerce and Economic Development, Ecology, Fisheries, Game, Natural Resources, Revenue, and Transportation, the Washington Heritage Council, the Interagency Committee for Outdoor Recreation, the Parks and Recreation Commission and the Office of Financial Management be requested to provide information and assistance necessary for the conduct of the committee's study; and

BE IT FURTHER RESOLVED, That the various private sector organizations affected by tourist development be invited to participate in the study; and

BE IT FURTHER RESOLVED, That the committee report its findings and recommendations for appropriate legislation to the 1984 and 1985 regular sessions of the Legislature.

## MOTION

On motion of Senator Hayner, the following resolution was adopted:

## SENATE RESOLUTION 1983-102

By Senators Benitz and Hayner

WHEREAS, It is appropriate to name public facilities and structures after persons who were important in the founding, development, or growth of communities served by the structures; and

WHEREAS, The two I-182 bridges spanning the Yakima River south of Richland intersect lands pioneered and homesteaded in the late 1800's by the R. C. Bremmer family; and

WHEREAS, It would be a most fitting memorial to name these bridges after R. C. Bremmer in recognition of the contributions the Bremmer family made toward the eventual development of the Tri-Cities area;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That the Senate hereby recommends to the Washington State Highway Commission and the Washington State Department of Transportation that these two bridges spanning the Yakima River south of Richland which form part of the extension of Interstate Route 182 be named the R. C. Bremmer Bridges in memory of the Bremmer family.

## MOTION

On motion of Senator Quigg, the following resolution was adopted:

## SENATE RESOLUTION 1983-80

By Senators Quigg, von Reichbauer, Benitz, Bluechel, Lee, Fuller, Woody, Thompson, Craswell, Granlund, Hurley and Metcalf

WHEREAS, A recent case brought in the United States District Court for the Western District of Washington involved an alleged violation of both federal laws and the laws of the State of Washington for actions occurring within the Olympic National Park in the State of Washington; and

WHEREAS, The case involved a possible violation of the Federal Mann Act, for interstate transportation of a female child for immoral purposes, as well as a possible violation of the indecent liberties statute of the State of Washington, brought under the Federal Assimilative Crimes Act; and

WHEREAS, The case is of great concern to the citizens of the State of Washington; and

WHEREAS, A jury trial was held and the defendant was found not guilty by reason of insanity and, as required under current federal law, the defendant was unconditionally released; and

WHEREAS, Many of the jurors who found the defendant not guilty by reason of insanity later stated that they did not realize that a finding of not guilty by reason of insanity would result in the unconditional release of the defendant; and

WHEREAS, Had the defendant been prosecuted in the courts of the State of Washington, a finding of not guilty by reason of insanity would have likely resulted in further treatment of the defendant for the defendant's mental condition and problem; and

WHEREAS, The citizens of the State of Washington are greatly concerned about federal laws which release people who represent a threat to society, when such defendants would undergo further treatment had they been found guilty by reason of insanity in the courts of the State of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That the federal government be urged to examine the federal laws as they relate to the disposition of those found not guilty by reason of insanity, particularly as they relate to the disposition of similar individuals at the state level; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to President Ronald Reagan, the President of the United States Senate; the Speaker of the United States House of Representatives, and each member of Congress from the State of Washington.

#### MOTION

On motion of Senator Quigg, the following resolution was adopted:

#### SENATE RESOLUTION 1983-97

By Senators Quigg, Owen and Conner

WHEREAS, Exploration has revealed sizeable minable molybdenite ore (molybdenum) reserves at Quartz Hill, in the southeastern area of the State of Alaska; and

WHEREAS, The United States Borax and Chemical Corporation will be constructing a molybdenum refinery in the port of Grays Harbor at Hoquiam which would receive shipments of molybdenite ore from Quartz Hill for further processing; and

WHEREAS, Molybdenum is one of the few key alloying elements for which the United States is not substantially dependent on a foreign source, making a healthy domestic molybdenum industry a vitally important natural resource; and

WHEREAS, Molybdenum is a critical material which strengthens and hardens metals used in motor vehicles, jet engines, mechanic tools, pipelines and other equipment, and molybdenum also serves as an essential catalyst in oil refining; and

WHEREAS, The refinery and support operations are expected to bring a peak workforce to the Grays Harbor area of approximately 960 persons during the construction and initial support operations stages, and provide a permanent work force of approximately 100 persons;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That the U.S. Borax Corporation is welcomed to the Grays Harbor area and the State of Washington. The people of the State of Washington look forward to the success of the company and a mutually beneficial relationship; and

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the U.S. Borax Corporation.

#### MOTION

On motion of Senator Thompson, the following resolution was adopted:

#### SENATE RESOLUTION 1983-96

By Senators Thompson and Jones

WHEREAS, In the past four years, the Iranian government has executed thousands of persons for their religious beliefs; and

WHEREAS, Members of the Baha'i faith in Iran have suffered the loss of property and jobs as a result of their religious convictions; and

WHEREAS, In addition to executions and the loss of property and jobs, members of the Baha'i faith in Iran have been subjected to extreme governmental harassment, persecution, and imprisonment; and

WHEREAS, At least one hundred twenty-five Baha'is were arrested in Shiraz in a single month this year, and these arrests continue; and

WHEREAS, Those Baha'is arrested are often executed without the benefit of a trial and without being convicted of any crime except their refusals to renounce their religious beliefs; and

WHEREAS, The members of the Baha'i faith in Iran have been specifically excluded from civil protection under the current Iranian Constitution; and

WHEREAS, The Baha'i faith is recognized around the world and its members are a peace loving people who believe in the basic principles of justice, equality, and unity; and

WHEREAS, The denial of religious freedom and the persecution of a group of human beings is a threat to the freedom of all people;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That we support United States Senate Concurrent Resolution No. 73 which condemned the Iranian persecution of the Baha'i community; and

BE IT FURTHER RESOLVED, That we urge Congress and President Ronald Reagan to persevere in their efforts to halt the persecution of members of the Baha'i faith in Iran; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to President Ronald Reagan; the President of the United States Senate; the Speaker of the House of Representatives; and to the members of the congressional delegation from Washington State.

#### MOTION

On motion of Senator Thompson, the following resolution was adopted:

#### SENATE RESOLUTION 1983-78

By Senators Thompson, Zimmerman, Bauer and Talmadge

WHEREAS, The Legislature has had many bills before it concerning establishing a medical examiner system; and

WHEREAS, Senate Bill 3272 makes improvements in the present coroner system in Washington but is not a final solution to modernizing the state's death investigation programs; and

WHEREAS, Senate Bill 3272 requires the Legislative Budget Committee to study medical examiner systems and similar programs which could be adopted in Washington; and

WHEREAS, There are very successful medical examiner systems in other states of similar size as Washington; and

WHEREAS, The current death investigation system can be improved possibly by integrating a regional medical examiner system utilizing existing medical examiners and coroners; and

WHEREAS, Data and other information on what counties spend on their coroner and medical examiner systems needs to be assembled;

NOW, THEREFORE, BE IT RESOLVED, That the Senate Local Government Committee work with the Legislative Budget Committee, the Planning and Community Affairs Agency, the Washington State Medical Association and the Washington Association of County Officials to develop proposals for the 1984 legislative session.

#### MOTION

On motion of Senator Shinpoch, all remaining Senate Floor Resolutions on today's calendar were referred to the Committee on Rules.

MOTION

At 9:27 a.m., on motion of Senator Shinpoch, the Senate adjourned until 4:00 p.m., Sunday, May 22, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

**TWENTY-EIGHTH DAY**

---

AFTERNOON SESSION

---

Senate Chamber, Olympia, Sunday, May 22, 1983

The Senate was called to order at 4:00 p.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Shinpoch and von Reichbauer. The Sergeant at Arms Color Guard, consisting of Pages Erleen Anderson and Kelli Imler, presented the Colors. Reverend James H. Blundell, rector of St. John's Episcopal Church of Olympia, offered the prayer.

MOTION

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

MESSAGE FROM THE HOUSE

May 20, 1983

Mr. President:

The House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 1079 and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

MOTION

At 4:12 p.m., on motion of Senator Bottiger, the Senate was declared to be at ease.

The President called the Senate to order at 7:30 p.m.

MOTION

At 7:30 p.m., on motion of Senator Bottiger, the Senate was declared to be at ease.

The President called the Senate to order at 8:21 p.m.

MESSAGE FROM THE HOUSE

May 22, 1983

Mr. President:

The House has passed SUBSTITUTE SENATE BILL NO. 4007 with the following amendments:

On page 1, after line 19, 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 the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, strike "and"

On page 1, line 3 of the title, after "39.53.050" insert "; and declaring an emergency".

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

MOTION

Senator Bottiger moved that the Senate do concur in the House amendments to Substitute Senate Bill No. 4007.

Debate ensued.

The President declared the question before the Senate to be the motion by Senator Bottiger to concur in the House amendments to Substitute Senate Bill No. 4007.

The motion by Senator Bottiger carried and the Senate concurred in the House amendments to Substitute Senate Bill No. 4007.

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 4007, as amended by the House.



## ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 4007, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent, 4.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Sellar, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 44.

Voting nay: Senator Pullen - 1.

Absent: Senators Rasmussen, Rinehart, Shinpoch, von Reichbauer - 4.

SUBSTITUTE SENATE BILL NO. 4007, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Senator Bluechel, Senator von Reichbauer was excused.

## MESSAGE FROM THE HOUSE

May 22, 1983

Mr. President:

The House passed SUBSTITUTE SENATE BILL NO. 4059 with the following amendments:

On page 2, line 28, after "fund", insert "PROVIDED, That unexpended federal monies paid into the fund shall not be transmitted to the general fund"

On page 2, line 32, strike "\$8,853,701" and insert "~~(\$8,853,701)~~ \$8,574,919".

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## MOTION

On motion of Senator McDermott, the Senate concurred in the House amendments to Substitute Senate Bill No. 4059.

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 4059, as amended by the House.

## ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 4059, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; absent, 2; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rinehart, Sellar, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 46.

Absent: Senators Rasmussen, Shinpoch - 2.

Excused: Senator von Reichbauer - 1.

SUBSTITUTE SENATE BILL NO. 4059, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE HOUSE

May 20, 1983

Mr. President:

The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 3226 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 9, chapter 163, Laws of 1982 and RCW 41.50.032 are each amended to read as follows:

(1) The director shall assume all powers, duties, and functions of the retirement boards abolished by RCW 2.10.052, 41.26.051, 41.32.015, 41.40.022, and 43.43.142 except as otherwise assigned in this section.

(2) There is hereby created a state advisory committee to the department of retirement systems which shall serve in an advisory capacity to the director of retirement systems. The

committee shall consist of twelve members appointed by the governor as provided in this section:

(a) Three active members and one retired member of the public employees' retirement system;

(b) Two active members, one a law enforcement officer and the other a fire fighter, and one retired fire fighter, of the law enforcement officers' and fire fighters' retirement system;

(c) Two active members, one a teacher and the other an administrator, and one retired member of the teachers' retirement system;

(d) One active member of the state patrol retirement system;

(e) One active member of the judicial retirement system.

The active members appointed under subsections (a), (b), (c), and (d) of this subsection shall be selected from a list of three nominees submitted by each organization representing active members. The retired members appointed under subsections (a), (b), and (c) of this subsection shall be selected from a list of three nominees submitted by each organization representing retired members. The member appointed under subsection (e) of this subsection shall be appointed from a list of three nominees submitted by the state supreme court.

Members shall serve staggered three-year terms as determined by the governor. Members shall serve without compensation but shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(3) The advisory committee shall at its first meeting of each fiscal year elect a chairperson and vice chairperson.

(4) The chairperson shall annually appoint from the committee members a subcommittee for each retirement system covered by this chapter. Each subcommittee shall have one committee member representing the system for which appointed and two other committee members who represent any other system. The subcommittees shall meet upon the call of the director to review all disability appeals cases which have been heard by a hearings examiner. Having considered the ~~((report of the hearings examiner and all other legally pertinent material))~~ hearings examiner's proposed decision, including findings of fact and conclusions of law, and having personally considered the whole record or such portions thereof as may be cited by the parties, the subcommittee shall make a recommendation to the director for the disposition of the appeal.

Sec. 2. Section 19, chapter 209, Laws of 1969 ex. sess. as amended by section 6, chapter 294, Laws of 1981 and RCW 41.26.210 are each amended to read as follows:

Any person aggrieved by any final decision of the director must, before petitioning for judicial review, file with the director of the retirement system by mail or personally within sixty days from the day such decision was communicated to such person, a notice for a hearing ~~((before the retirement board))~~. The notice of hearing shall set forth in full detail the grounds upon which such person considers such decision unjust or unlawful and shall include every issue to be considered ~~((by the retirement board))~~, and it must contain a detailed statement of facts upon which such person relies in support thereof. Such persons shall be deemed to have waived all objections or irregularities concerning the matter on which such appeal is taken other than those specifically set forth in the notice of hearing or appearing in the records of the retirement system.

Sec. 3. Section 20, chapter 209, Laws of 1969 ex. sess. as amended by section 7, chapter 294, Laws of 1981 and RCW 41.26.220 are each amended to read as follows:

A hearing shall be held by ~~((members of the retirement board, or its))~~ the director, or the director's duly authorized representative~~((s))~~, in the county of the residence of the claimant at a time and place designated by the ~~((retirement board))~~ director. Such hearing shall be de novo and shall conform to the provisions of chapter 34.04 RCW, as now or hereafter amended. The disability board and the ~~((director))~~ department shall be entitled to appear in all such proceedings and introduce testimony in support of the decision. Judicial review of any final decision by the ~~((retirement board))~~ director shall be governed by the provisions of chapter 34.04 RCW as now law or hereafter amended.

Sec. 4. Section 21, chapter 209, Laws of 1969 ex. sess. as amended by section 103, chapter 81, Laws of 1971 and RCW 41.26.230 are each amended to read as follows:

No bond of any kind shall be required of a claimant appealing to the superior court, the court of appeals, or the supreme court from a ~~((finding))~~ decision of the ~~((retirement board))~~ director affecting such claimant's right to retirement or disability benefits.

**NEW SECTION.** Sec. 5. There is hereby created a select committee which shall review the law enforcement officers' and fire fighters' (LEOFF) retirement system. The committee shall be made up of the following individuals: Four members of the Washington senate, two from each caucus, chosen by the president of the senate; four members of the house of representatives, two from each caucus, chosen by the speaker of the house; three members chosen by the governor, at least one of whom shall be a member of the LEOFF II system. Each member of the committee shall have an equal vote.

The legislature shall provide such staffing, technical assistance and support services as may be required to carry out committee business. All state, local and private agencies shall cooperate fully in the committee's work.

The committee's purposes shall include, but not be limited to, a review of the following issues regarding LEOFF: (1) The adequacy of retirement benefits; (2) the actuarial soundness of the system; (3) the method of financing the system; (4) the membership eligibility requirements; (5) review of the administrative procedures within the system; and (6) review of the adequacy of labor and industries benefits for law enforcement officers and fire fighters and other high-risk professions.

The committee shall prepare a report, including any recommendations, by January for the 1984 session of the legislature. The committee shall cease to exist upon presentation of its report.

Sec. 6. Section 9, chapter 209, Laws of 1969 ex. sess. as last amended by section 22, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.090 are each amended to read as follows:

Retirement of a member for service shall be made by the board as follows:

(1) Any member having five or more years of service and having attained the age of fifty years shall be eligible for a service retirement allowance and shall be retired upon his written request effective the first day following the date upon which the member is separated from service.

(2) Any member having five or more years of service, who terminates his employment with any employer, may leave his contributions in the fund. Any employee who so elects, upon attaining age fifty, shall be eligible to apply for and receive a service retirement allowance based on his years of service, commencing on the first day following his attainment of age fifty. This section shall also apply to a person who rendered service as a law enforcement officer or fire fighter, as those terms are defined in RCW 41.26.030, on or after July 1, 1969, but who was not employed as a law enforcement officer or fire fighter on March 1, 1970, by reason of his having been elected to a public office. Any member selecting this optional vesting with less than twenty years of service shall not be covered by the provisions of RCW 41.26.150, and his survivors shall not be entitled to the benefits of RCW 41.26.160 unless his death occurs after he has attained the age of fifty years. Those members selecting this optional vesting with twenty or more years service shall not be covered by the provisions of RCW 41.26.150 until the attainment of the age of fifty years: PROVIDED, That a member selecting this option, with less than twenty years of service credit, who shall die prior to attaining the age of fifty years, shall have paid from the Washington law enforcement officers' and fire fighters' retirement fund, to such member's surviving spouse, if any, otherwise to such beneficiary as the member shall have designated in writing, or if no such designation has been made, to the personal representative of his estate, a lump sum which is equal to the amount of such member's accumulated contributions plus accrued interest: PROVIDED FURTHER, That if the vested member has twenty or more years of service credit the surviving spouse or children shall then become eligible for the benefits of RCW 41.26.160 regardless of his age at the time of his death, to the exclusion of the lump sum amount provided by this subsection.

~~((3) Any member who has attained the age of sixty years shall be retired on the first day of the calendar month next succeeding that in which said member shall have attained the age of sixty and may not thereafter be employed as a law enforcement officer or fire fighter: PROVIDED: That for any member who is elected or appointed to the office of sheriff, chief of police, or fire chief, his election or appointment shall be considered as a waiver of the age sixty provision for retirement and nonemployment for whatever number of years remain in his present term of office and any succeeding periods for which he may be so elected or appointed: PROVIDED FURTHER, That the provisions of this subsection shall not apply to any member who is employed as a law enforcement officer or fire fighter on March 1, 1970:))~~

Sec. 7. Section 43.43.250, chapter 8, Laws of 1965 as last amended by section 26, chapter 52, Laws of 1982 1st ex. sess. and RCW 43.43.250 are each amended to read as follows:

~~((1) Any member who has attained the age of sixty years shall be retired on the first day of the calendar month next succeeding that in which said member shall have attained the age of sixty: PROVIDED, That the requirement to retire at age sixty shall not apply to a member serving as chief of the Washington state patrol:~~

~~((2)) Any member who has completed twenty-five years of credited service or has attained the age of fifty-five may apply to retire as provided in RCW 43.43.260, by completing and submitting an application form to the department, setting forth at what time the member desires to be retired.~~

Sec. 8. Section 6, chapter 294, Laws of 1977 ex. sess. 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%

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 (~~the retirement board~~) all employers of any pending adjustment in the required contribution rate and such increase shall be announced (~~at a board meeting held~~) 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. 9. Section 6, chapter 293, Laws of 1977 ex. sess. 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. 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 (~~the retirement board~~) all employers of any pending adjustment in the required contribution rate and such increase shall be announced (~~at a board meeting held~~) 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. 10. Section 6, chapter 295, Laws of 1977 ex. sess. 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. 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 (~~the retirement board~~) all employers of any pending adjustment in the required contribution rate and such increase shall be announced (~~at a board meeting held~~) 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.

Sec. 11. Section 13, chapter 274, Laws of 1947 as last amended by section 19, chapter 52, Laws of 1982 1st sess. 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 ~~((and to be accepted by the action of the director, such application for those taking elective office for the first time after May 21, 1971, shall be submitted within eight years of the beginning of their initial term of office: AND PROVIDED FURTHER, That any such persons previously denied service credit because of any prior laws excluding membership which have subsequently been repeated, shall nevertheless be allowed to recover or regain such service credit denied or lost because of the previous lack of authority))~~ 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 ~~((and be accepted by action of the director:))~~ to be effective during such term or terms of office, and shall be allowed to ~~((recover or regain))~~ 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 ~~((any person who was an elected official eligible to apply for membership pursuant to this subsection, who failed to exercise that option while holding such elected office and who is now a member of the retirement system, shall have the option to recover service credit for such elected service upon payment to the retirement system of the employee and employer contributions which would have been made had the person been a member during the period of such elective service))~~ 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;

(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.

NEW SECTION, Sec. 12. There is added to chapter 41.40 RCW a new section to read as follows:

(1) A person who established service credit under chapter 41.44 RCW and who became a member of the retirement system governed by this chapter prior to the effective date of this act is:

(a) Entitled to transfer any service currently credited under chapter 41.44 RCW to service credit under this chapter as though it had been earned under this chapter; and

(b) Entitled to reestablish any service originally earned under chapter 41.44 RCW but which was destroyed by withdrawal under chapter 41.44 RCW upon payment of the amount withdrawn plus interest from the date of withdrawal until the date of restoration at a rate to be set by the director. The restoration shall be completed within one year of the effective date of this act or within one year of reemployment if not employed by an employer on the effective date of this act. Credit for the reestablished service shall be given as though earned in the system governed by this chapter.

(2) The department is authorized to recompute the benefit of any retiree in accordance with this section if the recomputation results in a larger benefit and shall pay the additional amount retroactively to the date of retirement.

(3) Persons affected by this section shall have the benefit provided by this section or the benefit provided by chapters 41.44 and 41.40 RCW as they existed prior to the effective date of this act, whichever is larger.

Sec. 13. Section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 4, chapter 256, Laws of 1981 and RCW 41.26.030 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

(1) "Retirement system" means the "Washington law enforcement officers' and fire fighters' retirement system" provided herein.

(2) (a) "Employer" for persons who establish membership in the retirement system on or before September 30, 1977, means the legislative authority of any city, town, county or district or the elected officials of any municipal corporation that employs any law enforcement officer and/or fire fighter, any authorized association of such municipalities, and, except for the purposes of RCW 41.26.150, any labor guild, association, or organization, which represents the fire fighters or law enforcement officers of at least seven cities of over 20,000 population and the membership of each local lodge or division of which is composed of at least sixty percent law enforcement officers or fire fighters as defined in this chapter.

(b) "Employer" for persons who establish membership in the retirement system on or after October 1, 1977, means the legislative authority of any city, town, county, or district or the elected officials of any municipal corporation that employs any law enforcement officer and/or fire fighter.

(3) "Law enforcement officer" means any person who is serving on a full time, fully compensated basis as a county sheriff or deputy sheriff, including sheriffs or deputy sheriffs serving under a different title pursuant to a county charter, city police officer, or town marshal or deputy marshal, with the following qualifications:

(a) No person who is serving in a position that is basically clerical or secretarial in nature, and who is not commissioned shall be considered a law enforcement officer;

(b) Only those deputy sheriffs, including those serving under a different title pursuant to county charter, who have successfully completed a civil service examination for deputy sheriff or the equivalent position, where a different title is used, and those persons serving in unclassified positions authorized by RCW 41.14.070 except a private secretary will be considered law enforcement officers;

(c) Only such full time commissioned law enforcement personnel as have been appointed to offices, positions, or ranks in the police department which have been specifically created or otherwise expressly provided for and designated by city charter provision or by ordinance enacted by the legislative body of the city shall be considered city police officers; and

(d) The term "law enforcement officer" also includes the executive secretary of a labor guild, association or organization (which is an employer under RCW 41.26.030(2) as now or hereafter amended) if such individual has five years previous membership in the retirement system established in chapter 41.20 RCW: PROVIDED, That for persons who establish membership in the retirement system on or after October 1, 1977, the provisions of this subparagraph shall not apply.

(4) "Fire fighter" means:

(a) any person who is serving on a full time, fully compensated basis as a member of a fire department of an employer and who is serving in a position which requires passing a civil service examination for fire fighter, or fireman if this title is used by the department, and who is actively employed as such;

(b) anyone who is actively employed as a full time fire fighter where the fire department does not have a civil service examination;

(c) supervisory fire fighter personnel;

(d) any full time executive secretary of an association of fire protection districts authorized under chapter 52.08 RCW: PROVIDED, That for persons who establish membership in the retirement system on or after October 1, 1977, the provisions of this subparagraph shall not apply;

(e) the executive secretary of a labor guild, association or organization (which is an employer under RCW 41.26.030(2) as now or hereafter amended), if such individual has five years previous membership in a retirement system established in chapter 41.16 or 41.18 RCW: PROVIDED, That for persons who establish membership in the retirement system on or after October 1, 1977, the provisions of this subparagraph shall not apply;

(f) any person who is serving on a full time, fully compensated basis for an employer, as a fire dispatcher, in a department in which, on March 1, 1970, a dispatcher was required to have passed a civil service examination for fireman or fire fighter; and

(g) any person who on March 1, 1970, was employed on a full time, fully compensated basis by an employer, and who on May 21, 1971 was making retirement contributions under the provisions of chapter 41.16 or 41.18 RCW.

(5) "Retirement board" means the Washington public employees' retirement system board established in chapter 41.40 RCW, including two members of the retirement system and two employer representatives as provided for in RCW 41.26.050. The retirement board shall be called the Washington law enforcement officers' and fire fighters' retirement board and may enter in legal relationships in that name. Any legal relationships entered into in that name prior to the adoption of this 1972 amendatory act are hereby ratified.

(6) "Surviving spouse" means the surviving widow or widower of a member. The word shall not include the divorced spouse of a member.

(7) "Child" or "children" whenever used in this chapter means every natural born child and stepchild where that relationship was in existence prior to the date benefits are payable under this chapter, posthumous child, child legally adopted or made a legal ward of a member prior to the date benefits are payable under this chapter, and illegitimate child legitimized prior to the date any benefits are payable under this chapter, all while unmarried, and either under the age of eighteen years or mentally or physically handicapped as determined by the retirement board except a handicapped person in the full time care of a state institution. A person shall also be deemed to be a child up to and including the age of twenty years and eleven months while attending any high school, college, or vocational or other educational institution accredited, licensed, or approved by the state, in which it is located, including the summer vacation months and all other normal and regular vacation periods at the particular educational institution after which the child returns to school.

(8) "Member" means any fire fighter, law enforcement officer, or other person as would apply under subsections (3) or (4) of this section whose membership is transferred to the Washington law enforcement officers' and fire fighters' retirement system on or after March 1, 1970, and every law enforcement officer and fire fighter who is employed in that capacity on or after such date.

(9) "Retirement fund" means the "Washington law enforcement officers' and fire fighters' retirement system fund" as provided for herein.

(10) "Employee" means any law enforcement officer or fire fighter as defined in subsections (3) and (4) above.

(11) (a) "Beneficiary" for persons who establish membership in the retirement system on or before September 30, 1977, means any person in receipt of a retirement allowance, disability allowance, death benefit, or any other benefit described herein.

(b) "Beneficiary" for persons who establish membership in the retirement system on or after October 1, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(12) (a) "Final average salary" for persons who establish membership in the retirement system on or before September 30, 1977, means (i) for a member holding the same position or rank for a minimum of twelve months preceding the date of retirement, the basic salary attached to such same position or rank at time of retirement; (ii) for any other member, including a civil service member who has not served a minimum of twelve months in the same position or rank preceding the date of retirement, the average of the greatest basic salaries payable to such member during any consecutive twenty-four month period within such member's last ten years of service for which service credit is allowed, computed by dividing the total basic salaries payable to such member during the selected twenty-four month period by twenty-four; (iii) in the case of disability of any member, the basic salary payable to such member at the time of disability retirement; (iv) in the case of a member who hereafter vests pursuant to RCW 41.26.090, the basic salary payable to such member at the time of vesting.

(b) "Final average salary" for persons who establish membership in the retirement system on or after October 1, 1977, means the monthly average of the member's basic salary for the highest consecutive sixty months of service prior to such member's retirement, termination, or death. Periods constituting authorized unpaid leaves of absence may not be used in the calculation of final average salary.

(13) (a) "Basic salary" for persons who establish membership in the retirement system on or before September 30, 1977, means the basic monthly rate of salary or wages, including longevity pay but not including overtime earnings or special salary or wages, upon which pension or retirement benefits will be computed and upon which employer contributions and salary deductions will be based.

(b) "Basic salary" for persons who establish membership in the retirement system on or after October 1, 1977, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, as reported by the employer on the wage and tax statement submitted to the federal internal revenue service, and shall include wages and salaries deferred under provisions established pursuant to sections 403(b) and 457 of the United States Internal Revenue Code, but shall exclude lump sum payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay; PROVIDED, That in any year in which a member serves in the legislature the member shall have the option of having such member's basic salary be the greater of:

(i) the basic salary the member would have received had such member not served in the legislature; or

(ii) such member's actual basic salary received for nonlegislative public employment and legislative service combined. Any additional contributions to the retirement system required because basic salary under subparagraph (i) of this subsection is greater than basic salary under subparagraph (ii) of this subsection shall be paid by the member for both member and employer contributions.

(14) (a) "Service" for persons who establish membership in the retirement system on or before September 30, 1977, means all periods of employment for an employer as a fire fighter or law enforcement officer, for which compensation is paid, together with periods of suspension not exceeding thirty days in duration. For the purposes of this chapter service shall also include service in the armed forces of the United States as provided in RCW 41.26.190. Credit shall be allowed for all months of service rendered by a member from and after the member's initial commencement of employment as a fire fighter or law enforcement officer, during which the member worked for seventy or more hours, or was on disability leave or disability retirement. Only months of service shall be counted in the computation of any retirement allowance or other benefit provided for in this chapter. In addition to the foregoing, for members retiring after May 21, 1971 who were employed under the coverage of a prior pension act before March 1, 1970, "service" shall include (i) such military service not exceeding five years as was creditable to the member as of March 1, 1970, under the member's particular prior pension act, and (ii) such other periods of service as were then creditable to a particular member under the provisions of RCW 41.18.165, 41.20.160 or 41.20.170. However, in no event shall credit be



allowed for any service rendered prior to March 1, 1970, where the member at the time of rendition of such service was employed in a position covered by a prior pension act, unless such service, at the time credit is claimed therefor, is also creditable under the provisions of such prior act: PROVIDED, That if such member's prior service is not creditable due to the withdrawal of his contributions plus accrued interest thereon from a prior pension system, such member shall be credited with such prior service, as a law enforcement officer or fire fighter, by paying to the Washington law enforcement officers' and fire fighters' retirement system, on or before March 1, 1975, an amount which is equal to that which was withdrawn from the prior system by such member, as a law enforcement officer or fire fighter: PROVIDED FURTHER, That if such member's prior service is not creditable because, although employed in a position covered by a prior pension act, such member had not yet become a member of the pension system governed by such act, such member shall be credited with such prior service as a law enforcement officer or fire fighter, by paying to the Washington law enforcement officers' and fire fighters' retirement system, on or before March 1, 1975, an amount which is equal to the employer's contributions which would have been required under the prior act when such service was rendered if the member had been a member of such system during such period: AND PROVIDED FURTHER, That where a member is employed by two employers at the same time, he shall only be credited with service to one such employer for any month during which he rendered such dual service.

(b) "Service" for persons who establish membership in the retirement system on or after October 1, 1977, means periods of employment by a member for one or more employers for which basic salary is earned for ninety or more hours per calendar month.

Members of the retirement system who are elected or appointed to a state elective position may elect to continue to be members of this retirement system.

Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits.

If a member receives basic salary from two or more employers during any calendar month, the individual shall receive one month's service credit during any calendar month in which multiple service for ninety or more hours is rendered.

(15) "Accumulated contributions" means the employee's contributions made by a member plus accrued interest credited thereon.

(16) "Actuarial reserve" means a method of financing a pension or retirement plan wherein reserves are accumulated as the liabilities for benefit payments are incurred in order that sufficient funds will be available on the date of retirement of each member to pay the member's future benefits during the period of retirement.

(17) "Actuarial valuation" means a mathematical determination of the financial condition of a retirement plan. It includes the computation of the present monetary value of benefits payable to present members, and the present monetary value of future employer and employee contributions, giving effect to mortality among active and retired members and also to the rates of disability, retirement, withdrawal from service, salary and interest earned on investments.

(18) "Disability board" means either the county disability board or the city disability board established in RCW 41.26.110 for persons who establish membership in the retirement system on or before September 30, 1977.

(19) "Disability leave" means the period of six months or any portion thereof during which a member is on leave at an allowance equal to the member's full salary prior to the commencement of disability retirement. The definition contained in this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(20) "Disability retirement" for persons who establish membership in the retirement system on or before September 30, 1977, means the period following termination of a member's disability leave, during which the member is in receipt of a disability retirement allowance.

(21) "Position" means the employment held at any particular time, which may or may not be the same as civil service rank.

(22) "Medical services" for persons who establish membership in the retirement system on or before September 30, 1977, shall include the following as minimum services to be provided. Reasonable charges for these services shall be paid in accordance with RCW 41.26.150.

(a) Hospital expenses: These are the charges made by a hospital, in its own behalf, for

(i) Board and room not to exceed semiprivate room rate unless private room is required by the attending physician due to the condition of the patient.

(ii) Necessary hospital services, other than board and room, furnished by the hospital.

(b) Other medical expenses: The following charges are considered "other medical expenses", provided that they have not been considered as "hospital expenses".

(i) The fees of the following:

(A) A physician or surgeon licensed under the provisions of chapter 18.71 RCW;

(B) An osteopath licensed under the provisions of chapter 18.57 RCW;

(C) A chiropractor licensed under the provisions of chapter 18.25 RCW;

(D) A psychologist licensed under chapter 18.83 RCW.

(ii) The charges of a registered graduate nurse other than a nurse who ordinarily resides in the member's home, or is a member of the family of either the member or the member's spouse.

(iii) The charges for the following medical services and supplies:

(A) Drugs and medicines upon a physician's prescription;

(B) Diagnostic x-ray and laboratory examinations;

(C) X-ray, radium, and radioactive isotopes therapy;

(D) Anesthesia and oxygen;

(E) Rental of iron lung and other durable medical and surgical equipment;

(F) Artificial limbs and eyes, and casts, splints, and trusses;

(G) Professional ambulance service when used to transport the member to or from a hospital when he is injured by an accident or stricken by a disease;

(H) Dental charges incurred by a member who sustains an accidental injury to his teeth and who commences treatment by a legally licensed dentist within ninety days after the accident;

(I) Nursing home confinement or hospital extended care facility;

(J) Physical therapy by a registered physical therapist;

(K) Blood transfusions, including the cost of blood and blood plasma not replaced by voluntary donors;

(L) An optometrist licensed under the provisions of chapter 18.53 RCW.

(23) "Regular interest" means such rate as the director may determine.

(24) "Retiree" for persons who establish membership in the retirement system on or after October 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

(25) "Department" means the department of retirement systems created in chapter 41.50 RCW.

(26) "Director" means the director of the department.

(27) "State actuary" or "actuary" means the person appointed pursuant to RCW 44.44.010(2).

(28) "State elective position" means any position held by any person elected or appointed to state-wide office or elected or appointed as a member of the legislature.

**NEW SECTION.** Sec. 14. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Consolidated employer" means the new organizational element formed to perform some governmental function or service for two or more political subdivisions at least one of which is a first class city having its own retirement system. The new organization may be an element of county government or city government or of some other existing political subdivision, or it may be, or be a part of, a newly formed political subdivision.

(2) "New hiree" means someone hired by the consolidated employer who:

(a) Was not employed by any of the combining elements or their political subdivisions at the time of consolidation; or

(b) Was employed by one of the combining elements or their political subdivisions but did not become an employee of the consolidated employer within one year of the date on which the consolidated employer became a legal entity.

**NEW SECTION.** Sec. 15. This chapter governs the retirement program for individuals whose employment status is altered when two or more political subdivisions enter into an agreement to provide for consolidation of a function of government, the function is to be performed either by one of the participating subdivisions or by a newly created subdivision, and the employees of the participating subdivisions are enrolled as members of more than one Washington public retirement system.

**NEW SECTION.** Sec. 16. All new hirees by the consolidated entity shall become members of the retirement system to which the consolidated employer belonged prior to the consolidation if the employer is a member of a retirement system. If the employer is not a member of a retirement system, the new hirees shall not have a retirement program until the employer joins a retirement system.

**NEW SECTION.** Sec. 17. If the consolidated employer was an employer-member of one of the state retirement systems prior to consolidation:

(1) The employees of the consolidated employer who were active members of a state retirement system prior to the consolidation shall continue to be members of that system.

(2) Employees who were members of a city public retirement system prior to the consolidation may exercise one of the following options:

(a) Remain an active member of the city public retirement system while employed by the consolidated employer; or

(b) Establish membership in the retirement system provided by chapter 41.40 RCW and either separate and withdraw from the city public system or, if eligible, separate and vest with the city system.

Only prospective periods of qualifying service with a Washington public retirement system may be established under this section.

NEW SECTION. Sec. 18. If the consolidated employer was an employer-member of a city public retirement system prior to the consolidation:

(1) The employees of the consolidated employer who were members of a city public retirement system prior to the consolidation shall continue to be members of that system.

(2) Employees of the consolidated employer who were members of the retirement system provided by chapter 41.40 RCW may exercise one of the following options:

(a) Remain an active member of the system provided by chapter 41.40 RCW; or

(b) Establish membership in the retirement system provided by the city public retirement system and either separate and withdraw from the system provided by chapter 41.40 RCW or, if eligible, separate and vest with that system.

Only prospective periods of qualifying service with a Washington public retirement system may be established under this section.

NEW SECTION. Sec. 19. The following general rules apply in consolidated situations under this chapter:

(1) If the consolidated employer is a member of a retirement system, all employees, otherwise eligible, shall be members of a retirement system.

(2) No employee may be an active member of more than one Washington public retirement system as a consequence of employment by the consolidated employer.

(3) Any person employed by the consolidated employer within one year of the date of activation of the consolidated entity shall be entitled to the options provided in sections 17 and 18 of this act if he or she was an active member of a Washington public retirement system at the time of employment by the consolidated entity.

(4) An employee who is not retired at the time of employment by the consolidated employer may not elect to retire from any Washington public retirement system until he or she has separated from service with the consolidated employer.

(5) No member of any retirement system may become entitled to any benefits or rights under any Washington public retirement system as a result of this chapter except such rights of membership as are covered in this chapter.

(6) This chapter shall be effective retroactive to December 31, 1981, and all time periods specified in this chapter shall run from the dates indicated or December 31, 1981, whichever is the later.

(7) Consolidated employers are required to comply with the laws and rules of any Washington public retirement system whose active members they employ.

(8) Entry into membership granted under this chapter does not constitute a waiver of any other law or rule of any Washington public retirement system including and not limited to eligibility standards for service credit or benefits.

NEW SECTION. Sec. 20. An employee electing under section 17(2)(a) or 18(2)(a) of this act shall have the right to change positions within the structure of the consolidated employer without affecting the employee retirement membership.

NEW SECTION. Sec. 21. It is not the purpose of this chapter to provide relief to any Washington public retirement system or its sponsors when consolidations result in financial injury to any such system. These issues are properly addressed in the negotiations between the interested parties when the consolidation is being planned and executed.

NEW SECTION. Sec. 22. This chapter does not apply to any consolidation which includes any members of retirement systems established by chapter 41.18, 41.20, or 41.26 RCW.

NEW SECTION. Sec. 23. Sections 14 through 22 of this act shall constitute a new chapter in Title 41 RCW.

Sec. 24. Section 1, chapter 80, Laws of 1947 as last amended by section 1, chapter 5, Laws of 1983 and RCW 41.32.010 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

(1) (a) "Accumulated contributions" for persons who establish membership in the retirement system on or before September 30, 1977, means the sum of all regular annuity contributions with regular interest thereon.

(b) "Accumulated contributions" for persons who establish membership in the retirement system on or after October 1, 1977, means the sum of all contributions standing to the credit of a member in the member's individual account together with the regular interest thereon.

(2) "Actuarial equivalent" means a benefit of equal value when computed upon the basis of such mortality tables and regulations as shall be adopted by the director and regular interest.

(3) "Annuity" means the moneys payable per year during life by reason of accumulated contributions of a member.

(4) "Annuity fund" means the fund in which all of the accumulated contributions of members are held.

(5) "Annuity reserve fund" means the fund to which all accumulated contributions are transferred upon retirement.

(6) (a) "Beneficiary" for persons who establish membership in the retirement system on or before September 30, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter.

(b) "Beneficiary" for persons who establish membership in the retirement system on or after October 1, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(7) "Contract" means any agreement for service and compensation between a member and an employer.

(8) "Creditable service" means membership service plus prior service for which credit is allowable. This subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(9) "Dependent" means receiving one-half or more of support from a member.

(10) "Disability allowance" means monthly payments during disability. This subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(11) (a) "Earnable compensation" for persons who establish membership in the retirement system on or before September 30, 1977, means all salaries and wages paid by an employer to an employee member of the retirement system for personal services rendered during a fiscal year. In all cases where compensation includes maintenance the employer shall fix the value of that part of the compensation not paid in money: PROVIDED, That for members regularly employed under written contract with a school district in a position, other than administrative or supervisory, for which the member receives service credit of less than a year in both years of the average earnable compensation used in the calculation of the benefits under RCW 41.32.497, 41.32.498, 41.32.520, and 41.32.550, earnable compensation means the compensation the member would have received in the same position if employed on a regular full-time basis for the same contract period only for the purpose of the calculation of retirement benefits to insure that members, who receive fractional service credit pursuant to RCW 41.32.270, receive a benefit for fractional service credit proportional to a full-time benefit: PROVIDED FURTHER, That retroactive payments to an individual by an employer on reinstatement of the employee in a position, or payments by an employer to an individual in lieu of reinstatement in a position which are awarded or granted as the equivalent of the salary or wages which the individual would have earned during a payroll period shall be considered earnable compensation and the individual shall receive the equivalent service credit: PROVIDED FURTHER, That if a leave of absence, without pay, is taken by a member for the purpose of serving as a member of the state legislature, and such member has served in the legislature five or more years, the salary which would have been received for the position from which the leave of absence was taken shall be considered as compensation earnable if the employee's contribution thereon is paid by the employee. In addition, where a member has been a member of the state legislature for five or more years, earnable compensation for the member's two highest compensated consecutive years of service shall include a sum not to exceed thirty-six hundred dollars for each of such two consecutive years, regardless of whether or not legislative service was rendered during those two years.

(b) "Earnable compensation" for persons who establish membership in the retirement system on or after October 1, 1977, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, as reported by the employer on the wage and tax statement submitted to the federal internal revenue service, and shall include wages and salaries deferred under provisions established pursuant to sections 403(b) and 457 of the United States Internal Revenue Code, but shall exclude lump sum payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay: PROVIDED, That retroactive payments to an individual by an employer on reinstatement of the employee in a position or payments by an employer to an individual in lieu of reinstatement in a position which are awarded or granted as the equivalent of the salary or wages which the individual would have earned during a payroll period shall be considered earnable compensation, to the extent provided above, and the individual shall receive the equivalent service credit: PROVIDED FURTHER, That in any year in which a member serves in the legislature the member shall have the option of having such member's earnable compensation be the greater of:

(i) the earnable compensation the member would have received had such member not served in the legislature; or

(ii) such member's actual earnable compensation received for teaching and legislative service combined. Any additional contributions to the retirement system required because compensation earnable under subparagraph (i) of this subsection is greater than compensation earnable under subparagraph (ii) of this subsection shall be paid by the member for both member and employer contributions.

(12) "Employer" means the state of Washington, the school district, or any agency of the state of Washington by which the member is paid.

(13) "Fiscal year" means a year which begins July 1st and ends June 30th of the following year.

(14) "Former state fund" means the state retirement fund in operation for teachers under chapter 187, Laws of 1923, as amended.

(15) "Local fund" means any of the local retirement funds for teachers operated in any school district in accordance with the provisions of chapter 163, Laws of 1917 as amended.

(16) "Member" means any teacher included in the membership of the retirement system. Also, any other employee of the public schools who, on July 1, 1947, had not elected to be exempt from membership and who, prior to that date, had by an authorized payroll deduction, contributed to the annuity fund.

(17) "Membership service" means service rendered subsequent to the first day of eligibility of a person to membership in the retirement system: PROVIDED, That where a member is employed by two or more employers the individual shall only receive one month's service credit during any calendar month in which multiple service is rendered. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(18) "Pension" means the moneys payable per year during life from the pension reserve fund.

(19) "Pension reserve fund" is a fund in which shall be accumulated an actuarial reserve adequate to meet present and future pension liabilities of the system and from which all pension obligations are to be paid.

(20) "Prior service" means service rendered prior to the first date of eligibility to membership in the retirement system for which credit is allowable. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(21) "Prior service contributions" means contributions made by a member to secure credit for prior service. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(22) "Public school" means any institution or activity operated by the state of Washington or any instrumentality or political subdivision thereof employing teachers, except the University of Washington and Washington State University.

(23) "Regular contributions" means the amounts required to be deducted from the compensation of a member and credited to the member's individual account in the annuity fund. This subsection shall apply only to persons establishing membership in the retirement system on or before September 30, 1977.

(24) "Regular interest" means such rate as the director may determine.

(25) (a) "Retirement allowance" for persons who establish membership in the retirement system on or before September 30, 1977, means the sum of annuity and pension or any optional benefits payable in lieu thereof.

(b) "Retirement allowance" for persons who establish membership in the retirement system on or after October 1, 1977, means monthly payments to a retiree or beneficiary as provided in this chapter.

(26) "Retirement system" means the Washington state teachers' retirement system.

(27) (a) "Service" means the time during which a member has been employed by an employer for compensation: PROVIDED, That where a member is employed by two or more employers the individual shall only receive one month's service credit during any calendar month in which multiple service is rendered.

(b) "Service" for persons who establish membership in the retirement system on or after October 1, 1977, means periods of employment by a member for one or more employers for which earnable compensation is earned for ninety or more hours per calendar month. Members shall receive twelve months of service for each contract year or school year of employment.

Any person who is a member of the teachers' retirement system and who is elected or appointed to a state elective position may continue to be a member of the retirement system and continue to receive service credit for the time spent in a state elective position by making the required member contributions.

When an individual is employed by two or more employers the individual shall only receive one month's service credit during any calendar month in which multiple service for ninety or more hours is rendered.

Notwithstanding RCW 41.32.240, teachers covered by RCW 41.32.755 through 41.32.825, who render service need not serve for ninety days to obtain membership so long as the required contribution is submitted for such ninety-day period. Where a member did not receive service credit under RCW 41.32.775 through 41.32.825 due to the ninety-day period in RCW 41.32.240 the member may receive service credit for that period so long as the required contribution is submitted for the period. Anyone entering membership on or after October 1, 1977, and prior to July 1, 1979, shall have until June 30, 1980, to make the required contribution in one lump sum.

(28) "Survivors' benefit fund" means the fund from which survivor benefits are paid to dependents of deceased members. This subsection shall apply only to persons establishing membership in the retirement system on or before September 30, 1977.

(29) "Teacher" means any person qualified to teach who is engaged by a public school in an instructional, administrative, or supervisory capacity, including state, educational service

district, city superintendents and their assistants and certificated employees; and in addition thereto any qualified school librarian, any registered nurse or any full time school doctor who is employed by a public school and renders service of an instructional or educational nature.

(30) "Average final compensation" for persons who establish membership in the retirement system on or after October 1, 1977, means the member's average earnable compensation of the highest consecutive sixty months of service prior to such member's retirement, termination, or death. Periods constituting authorized leaves of absence may not be used in the calculation of average final compensation.

(31) "Retiree" for persons who establish membership in the retirement system on or after October 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

(32) "Department" means the department of retirement systems created in chapter 41.50 RCW.

(33) "Director" means the director of the department.

(34) "State elective position" means any position held by any person elected or appointed to state-wide office or elected or appointed as a member of the legislature.

(35) "State actuary" or "actuary" means the person appointed pursuant to RCW 44.44.010(2).

(36) "Retirement board" means the board of trustees provided for in RCW 41.32.040.

NEW SECTION. Sec. 25. There is appropriated from the general fund to the public employees' retirement fund for the biennium ending June 30, 1985, the sum of two hundred ten thousand dollars, or so much thereof as may be necessary, for costs resulting from section 12 of this act.

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."

On page 1, line 1 of the title, after "service;" strike the remainder of the title and insert "amending section 9, chapter 163, Laws of 1982 and RCW 41.50.032; amending section 19, chapter 209, Laws of 1969 ex. sess. as amended by section 6, chapter 294, Laws of 1981 and RCW 41.26.210; amending section 20, chapter 209, Laws of 1969 ex. sess. as amended by section 7, chapter 294, Laws of 1981 and RCW 41.26.220; amending section 21, chapter 209, Laws of 1969 ex. sess. as amended by section 103, chapter 81, Laws of 1971 and RCW 41.26.230; amending section 9, chapter 209, Laws of 1969 ex. sess. as last amended by section 22, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.090; amending section 43.43.250, chapter 8, Laws of 1965 as last amended by section 26, chapter 52, Laws of 1982 1st ex. sess. and RCW 43.43.250; amending section 6, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.450; amending section 6, chapter 293, Laws of 1977 ex. sess. and RCW 41.32.775; amending section 6, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.650; amending section 13, chapter 274, Laws of 1947 as last amended by section 19, chapter 52, Laws of 1982 1st ex. sess. and RCW 41.40.120; amending section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 4, chapter 256, Laws of 1981 and RCW 41.26.030; amending section 1, chapter 80, Laws of 1947 as last amended by section 1, chapter 5, Laws of 1983 and RCW 41.32.010; adding a new section to chapter 41.40 RCW; adding a new chapter to Title 41 RCW; creating a new section; making an appropriation; and declaring an emergency."

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator McDermott, the Senate did not concur in the House amendments to Engrossed Substitute Senate Bill No. 3226 and asks the House for a conference thereon.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Substitute Senate Bill No. 3226 and the House amendments thereto: Senators Warnke, Bluechel and Gaspard.

#### MOTION

On motion of Senator McDermott, the Conference Committee appointments were confirmed.

## MESSAGE FROM THE HOUSE

May 17, 1983

Mr. President:

The House has passed SUBSTITUTE SENATE BILL NO. 3244 with the following amendments:

On page 3, after line 14, insert the following:

"Sec. 4. Section 16, chapter 10, Laws of 1982 as amended by section 1, chapter 13, Laws of 1982 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 thirty-three one-hundredths of one percent.

(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."

On page 1, line 1 of the title after "taxes;" insert "amending section 16, chapter 10, Laws of 1982 as amended by section 1, chapter 13, Laws of 1982 2nd ex. sess. and RCW 82.04.260;"

On page 3, after line 14, insert the following new section:

"NEW SECTION. Sec. 4. There is added to chapter 82.04 RCW a new section to read as follows:

(1) This chapter shall not apply to any person in respect to gross income derived from the business of making sales at wholesale or retail if such person:

(a) Does not own or lease real property within this state; and

(b) Does not regularly maintain a stock of tangible personal property in this state for sale in the ordinary course of business; and

(c) Is not a corporation incorporated under the laws of this state; and

(d) Makes sales in this state exclusively to or through a direct seller's representative.

(2) For purposes of this section, the term "direct seller's representative" means a person who buys consumer products on a buy-sell basis or a deposit-commission basis for resale, by the buyer or any other person, in the home or otherwise than in a permanent retail establishment, or who sells, or solicits the sale of, consumer products in the home or otherwise than in a permanent retail establishment; and

(a) Substantially all of the remuneration paid to such person, whether or not paid in cash, for the performance of services described in this subsection is directly related to sales or other output, including the performance of services, rather than the number of hours worked; and

(b) The services performed by the person are performed pursuant to a written contract between such person and the person for whom the services are performed and such contract provides that the person will not be treated as an employee with respect to such purposes for federal tax purposes.

(3) Nothing in this section shall be construed to imply that a person exempt from tax under this section was engaged in a business activity taxable under this chapter prior to the enactment of this section."

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

Senator McDermott moved that the Senate do concur in the House amendments to Substitute Senate Bill No. 3244.

#### POINT OF INQUIRY

Senator Lee: "Senator Moore, I notice that the House language is an issue that was before the Joint Administrative Rules Committee, and is an issue on a bill that you had sponsored. Is it your understanding and intent that the House amendments do take care of the particular problem faced by some of the occupants of the Seattle Trade Center?"

Senator Moore: "Well, to the best of my knowledge, it does and additionally I can say, it had better."

The President declared the question before the Senate to be the motion by Senator McDermott to concur in the House amendments to Substitute Senate Bill No. 3244.

The motion by Senator McDermott carried and the Senate concurred in the House amendments to Substitute Senate Bill No. 3244.

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 3244, as amended by the House.



## ROLL CALL

The Secretary called the roll on final passage of Substitute Senate Bill No. 3244, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 38; nays, 8; absent, 2; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Decchio, Fleming, Gaspard, Goltz, Granlund, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rinehart, Sellar, Talmadge, Thompson, Vognild, Williams, Wojahn, Woody, Zimmerman - 38.

Voting nay: Senators Craswell, Fuller, Guess, Haley, McCaslin, Metcalf, Pullen, Warnke - 8.

Absent: Senators Rasmussen, Shinpoch - 2.

Excused: Senator von Reichbauer - 1.

SUBSTITUTE SENATE BILL NO. 3244, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE HOUSE

May 20, 1983

Mr. President:

The House has passed:

ENGROSSED HOUSE BILL NO. 588, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

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

## INTRODUCTION AND FIRST READING OF HOUSE BILL

EHB 588 by Representatives Zellinsky, Smitherman, Egger, Schmidt, Isaacson, Hankins, McClure, Fisch, Miller, Vekich, Sayan, Powers and Holland

Providing funds for jail improvement and construction.

## MOTION

On motion of Senator McDermott, the rules were suspended, Engrossed House Bill No. 588 was advanced to second reading and placed on the second reading calendar.

There being no objection, the President reverted the Senate to the first order of business.

## REPORT OF STANDING COMMITTEE

May 18, 1983

SHB 712 Prime Sponsor, Representative Wang: Providing for the funding of a hazardous waste program. Reported by Committee on Parks and Ecology

MAJORITY recommendation: Do pass as amended. Signed by Senators Hughes, Chairman; Talmadge, Vice Chairman; Hansen, Hurley, McDermott, Rasmussen, Williams.

## MOTION

On motion of Senator Bottiger, the rules were suspended, Substitute House Bill No. 712 was advanced to second reading and read the second time.

## MOTION

Senator Haley moved the following amendment (to the bill) by Senators Haley, Guess, Craswell, Metcalf, Lee, Hansen, Jones, Rasmussen and Kiskaddon be adopted:

On page 12, after line 4, insert the following:

NEW SECTION. Sec. 13. The long-range development goals for the state of Washington must include the protection of the resources and environment of the state and the health and safety of its people by providing adequate programs for the investigation, study, planning, rehabilitation, removal, or cleanup of hazardous waste, wherever located and however placed by spill or otherwise, that threaten the people and natural resources of the state.

NEW SECTION. Sec. 14. There is appropriated from the general fund to the state department of ecology for the period from the effective date of this act through June 30, 1985, the sum

of three million dollars for the purpose of providing funds for the study of, planning for, and performance of rehabilitation, removal, and cleanup of hazardous waste located in this state and for the participation by the state of Washington in programs of the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980, as it now exists, contemplated for state participation or administration.

NEW SECTION, Sec. 15. The department may use or permit the use of any funds authorized in this chapter to accomplish the purposes of this chapter including direct expenditures and grants or loans to public bodies, including grants to public bodies as matching funds in any case where federal, local, or other funds are made available on a matching basis for programs that are consistent with the purposes of this chapter.

NEW SECTION, Sec. 16. The following definitions apply to this chapter:

(1) "Public body" means the United States, state of Washington or any agency, political subdivision, taxing district, or municipal or public corporation thereof, and those Indian tribes now or hereafter recognized as such by the federal government and which may constitutionally receive grants or loans from the state of Washington;

(2) "Hazardous waste" means and includes all dangerous and extremely hazardous wastes;

(3) "Dangerous waste" shall have the same definition as set forth in RCW 70.105.010(5) and shall specifically include those wastes designated as dangerous by regulations adopted pursuant to chapter 70.105 RCW; and

(4) "Extremely hazardous waste" shall have the same definition as set forth in RCW 70.105.010(6) and shall specifically include those wastes designated as extremely hazardous by regulations adopted pursuant to chapter 70.105 RCW.

NEW SECTION, Sec. 17. The attorney general is empowered to recover, by initiation of litigation or other means from any person who spilled or unlawfully disposed of or placed hazardous wastes, moneys in the amount of funds expended by the department under the authority of this chapter to carry out the purposes of this chapter in relation to any such spill or unlawful disposal or placement.

NEW SECTION, Sec. 18. Sections 13 through 17 of this act shall constitute a new chapter in Title 43 RCW."

Renumber the sections consecutively.

Debate ensued.

The President declared the question before the Senate to be adoption of the amendment by Senators Haley, Guess, Craswell, Metcalf, Lee, Hansen, Jones, Rasmussen and Kiskaddon.

The motion by Senator Haley failed and the amendment was not adopted.

#### MOTION

Senator Hughes moved the following Committee on Parks and Ecology amendment be adopted:

Strike everything after the enacting clause and insert:

"NEW SECTION, Sec. 1. (1) It is the policy of the state of Washington to protect the public health and welfare of all its citizens against the dangers arising from the generation, transport, treatment, storage, and disposal of hazardous wastes and from releases of hazardous substances. In order to reach that policy objective, it is not only necessary to provide state government with broad powers of regulation, control, and removal of these hazardous wastes and substances, including the power to fashion and effectuate remedial directives, but it is imperative that adequate funds are also provided to carry out these powers in a vigorous manner. In the implementation of the provisions of this chapter, the state shall, when appropriate, cooperate with and support federal agencies in their implementation of counterpart federal hazardous waste and substances programs, while pursuing independent state actions whenever it appears they will provide more efficient or effective alternative programs to achieve the policies and purposes of this chapter.

(2) The purposes of this chapter are, among others: (a) To supplement the powers already vested in the department of ecology relating to hazardous wastes and to releases of substances which are hazardous to the environment or public health, (b) to provide moneys necessary for the full, sufficient, and efficient implementation of the hazardous waste and substances regulation control and removal program of the state, (c) to encourage reduction of hazardous wastes through recycling and improvement of manufacturing processes, (d) to provide for the cleanup and restoration of those sites within the state at which improper disposal of hazardous waste has occurred, resulting in the potential for deleterious impacts on the health and welfare of the citizens of the state, as well as on the state's natural, environmental, and biological systems, (e) to provide for funding to study, plan, and undertake the rehabilitation, removal, and cleanup of hazardous waste deposited improperly at sites located within the state, and (f) to provide funds for matching purposes for participation in the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980.

NEW SECTION. Sec. 2. As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) "Dangerous waste" shall have the same definition as set forth in RCW 70.105.010(5) and shall specifically include those wastes designated as dangerous by rules adopted pursuant to chapter 70.105 RCW;

(2) "Department" means the department of ecology;

(3) "Extremely hazardous waste" shall have the same definition as set forth in RCW 70.105.010(6) and shall specifically include those wastes designated as extremely hazardous by rules adopted pursuant to chapter 70.105 RCW;

(4) "Hazardous waste" means and includes all dangerous and extremely hazardous wastes;

(5) "Person" means an individual, trust, firm, joint stock company, partnership, association, state, public or private or municipal corporation, commission, political subdivision of a state, interstate body, the federal government including any agency or officer thereof, and any Indian tribe or authorized tribal organization;

(6) "Identified site" means the same or geographically contiguous property, which may be divided by a public or private right of way, provided that access between the properties occurs at an intersection and crosses, as opposed to goes along, the right of way. Noncontiguous properties owned by the same person but connected by a right of way will be considered a single identified site if the person controls the right of way and can prevent public access;

(7) "Fee" means the annual hazardous waste control and elimination assessment fee imposed under section 3 of this act and the fee for treatment, storage, and disposal facilities imposed under section 4 of this act;

(8) "Annual gross income" of a business means the value proceeding or accruing during a calendar year by reason of the transaction of the business or service engaged in and includes gross proceeds of sales, compensation for the rendition of services, gains realized from trading in stocks, bonds, or other evidences of indebtedness, interest, discount, rents, royalties, fees, commissions, dividends, and other emoluments however designated, all without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses; and

(9) "Generate" means any act or process which produces hazardous waste or first causes a hazardous waste to become subject to regulation.

NEW SECTION. Sec. 3. (1) In addition to all other fees and taxes, there is hereby imposed and the department of revenue shall collect an annual fee from every person identified by the department of ecology for the privilege of utilizing or operating an identified site, other than as described in section 4(1) of this act, in connection with any of the following business activities within this state:

(a) Exploring for, extracting, beneficiating, processing, or selling metallic or nonmetallic minerals;

(b) Exploring for, extracting, processing, or selling coal;

(c) Producing, distributing, or selling electricity;

(d) Industrial or nonresidential contracting or heavy construction;

(e) Painting or sandblasting;

(f) Producing, processing, or selling rubber or plastics;

(g) Producing, processing, or selling glass, cement, or concrete;

(h) Cutting, milling, producing, preparing, or selling lumber or wood products, including wooden furniture or fixtures;

(i) Producing, preparing, or selling paper or allied products;

(j) Printing or publishing;

(k) Synthesizing, producing, processing, preparing, or selling chemicals or allied products;

(l) Exploring for, extracting, producing, processing, distributing, or selling petroleum or gas;

(m) Fabricating rubber or plastic products;

(n) Beneficiating, processing, or selling primary or secondary metals;

(o) Fabricating metal products, including metal furniture or fixtures;

(p) Fabricating, constructing, preparing, installing, or selling machinery or supplies;

(q) Fabricating, constructing, installing, preparing, or selling electrical or electronic equipment, machinery, or supplies;

(r) Fabricating, producing, preparing, or selling transportation equipment;

(s) Transporting by railroad, motor vehicle, or water vessel;

(t) Telephone communication;

(u) Drycleaning, photofinishing, or furniture refinishing;

(v) Transferring, treating, storing, or disposing of solid, dangerous, or extremely hazardous wastes; and

(w) Repairing or servicing motor vehicles, railroad equipment, or water vessels.

When determining the particular business activity at an identified site, the department of ecology shall consider the major purpose of the activity or activities occurring at the identified

site. Under this section, each identified site shall be required to pay only one fee annually, but no fee shall be assessed on any person at an identified site engaged solely in making retail sales as defined in RCW 82.04.050, except for those identified sites which generate hazardous waste.

(2) The fee imposed by this section shall be due and payable on June 30 of the year next succeeding the calendar year in which a person has engaged at any time in the business activities listed in subsection (1) of this section. The amount of the fee for an identified site shall be graduated by reference to the annual gross income of the business apportioned to the site as provided in subsection (3) of this section in accordance with the following schedule:

(a) For annual gross income not in excess of one million dollars, a fee of not more than one hundred fifty dollars;

(b) For annual gross income in excess of one million dollars but not exceeding ten million dollars, a fee of not more than seven hundred fifty dollars;

(c) For annual gross income in excess of ten million dollars, a fee of not more than seven thousand five hundred dollars.

The department of ecology shall further graduate the fees set forth in (a), (b), and (c) of this subsection in accordance with criteria including but not limited to the quantity of hazardous waste generated and the health and environmental risks associated with the waste. The department of ecology shall publish by rule a schedule of these graduated fees.

(3) For purposes of this section, annual gross income of the business shall mean gross proceeds of sales as defined in RCW 82.04.070 or gross income of the business as defined in RCW 82.04.080; and shall mean gross income, as defined in RCW 82.16.010(13). Annual gross income of the business of a person rendering services taxable under RCW 82.04.290 and maintaining places of business within and without this state shall be apportioned in accordance with the provisions of RCW 82.04.460. The total annual gross income of the business taxable in this state under chapters 82.04 and 82.16 RCW shall be apportioned equally by the department of ecology among the identified sites utilized by such business in this state without regard to the amount or nature of the use: PROVIDED, That the person subject to the fee may request, and the department of ecology shall grant, apportionment among identified sites utilized in this state according to each site's share of annual gross income of the business apportioned to this state. The person subject to the fee shall bear the burden of supporting the allocation among sites with appropriate data as reasonably requested by the department of ecology.

(4) If an identified site does not generate hazardous wastes regulated by chapter 70.105 RCW, the person owning or controlling the site is exempt from the fee imposed by this section.

(5) Notwithstanding subsection (1) or (2) of this section or section 4 of this act, no person who owns or operates a combined identified site and hazardous waste treatment, storage or disposal site shall be required to pay more than seven thousand five hundred dollars annually to the hazardous waste control and elimination account.

(6) The fees imposed by this section and the limitation on total payment of subsection (5) of this section shall be adjusted by five percent whenever the consumer price index of the United States department of labor increases or decreases by a five percent increment from the index figure in existence on January 1, 1983, and such fee and limitation adjustments shall be published in rules by the department of ecology.

(7) Fees shall not be required under this section for solid wastes generated primarily from the combustion of coal or other fossil fuels, until at least six months after the date of submission of the study required by section 8002 of the federal resource conservation and recovery act.

(8) For purposes of this section "manufacturer," "wholesaler," "retailer," and "person engaging in service activities" shall have the meaning attributed to such terms in chapter 82.04 RCW. "Business activities" shall mean activities of any person subject to the fees imposed in subsection (1) of this section engaging in business as defined in chapters 82.04 and 82.16 RCW.

(9) In the administration of this section and in addition to other provisions in this chapter for the enforcement and collection of fees due and owing under this section, the department of revenue is authorized to apply the provisions of chapter 82.32 RCW, provided that the provisions of RCW 82.32.050 and 82.32.090 shall not be applied. If the annual gross income of the business of any person subject to the fee imposed under this section is finally determined to be greater or less than that reported to the department of revenue for the year in question, the department of revenue shall, if necessary, recompute the fee due and shall refund or assess the outstanding balance, as the case may be.

**NEW SECTION, Sec. 4.** (1) Every person who operates a facility for the purpose of treating, storing, or disposing of hazardous wastes, that is subject to a permit issued under authority of RCW 70.105.130 or section 6(4) of this act (including a permit issued in satisfaction of the requirements of 42 U.S.C. section 6925 of the federal Resource Conservation and Recovery Act, as amended) shall, on or before September 1, 1984, and on or before May 15 of each year thereafter, pay to the state a fee relating to the operation of such treatment, storage, or disposal facilities.

In relation to these annual fees, the department is empowered to adopt rules relating to: (a) Establishment of classes of facilities subject to fees, taking into account the size and type of facility and the risks of detrimental impacts associated therewith; and (b) the setting of a fee

schedule pertaining to these classes with those classes presenting a greater risk having a higher dollar amount than those classes presenting a lesser risk: PROVIDED, That the annual fee for any class shall not be greater than seven thousand five hundred dollars.

The department shall prepare a list of all such hazardous waste facilities and the fee for each such facility or type of facility and shall provide a statement to each operator of a facility specifying the fee that is owed and the basis for the fee.

(2) Notwithstanding the provisions of section 3 (1) through (5) of this act or this section, no person who operates a combined identified site and hazardous waste treatment, storage, or disposal site shall be required to pay more than seven thousand five hundred dollars annually to the hazardous waste control and elimination account.

(3) The department of ecology is required to increase or decrease the fees of subsection (1) of this section and the limitation on total payment of subsection (2) of this section, by five percent on each occasion when the consumer price index of the United States department of labor increases or decreases by a five percent increment from the index figure as it existed on January 1, 1983. Each such fee and limitation increase or decrease shall be set forth in rules adopted by the department of ecology.

NEW SECTION. Sec. 5. All fees paid to the state as provided in sections 3 and 4 of this act shall be placed in a hazardous waste control and elimination account of the general fund, and subject to legislative appropriation, be expended by the department of ecology solely to carry out the powers set forth in section 6 of this act.

NEW SECTION. Sec. 6. (1) The department of ecology may use funds in the hazardous waste control and elimination account in the implementation of the powers vested under RCW 70.105.020, 70.105.030, 70.105.080, 70.105.100, 70.105.120, and 70.105.130 and 70.105.\_\_\_\_ (SSB 4245, section 2 and 3) and subsections (3) and (4) of this section as well as the administrative costs relating to the implementation of subsection (2) of this section.

(2) The department is authorized to participate in and is empowered to carry out all programs of the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 contemplated for state participation or administration under that act.

(3) In relation or addition to the powers set forth in this section and any other provisions of this code, the department is empowered, with regard to the regulation, control, or removal of hazardous substances and wastes, as follows:

(a) To coordinate responses to hazardous substances accident and spill incidents;

(b) To respond to, direct, or initiate cleanup of hazardous substances, accidents and spills, and hazardous waste sites;

(c) To conduct or contract for professional technical data gathering and analysis and damage assessment; and

(d) To conduct or contract for the removal of hazardous substances and wastes where there has been or is a potential for release, regardless of quantity or concentration, which could pose a threat to public health or the environment.

(4) The department is empowered to participate in and carry out all programs of the federal Resource Conservation and Recovery Act, as amended, contemplated for implementation by a state under that act and may use funds in the hazardous waste control and elimination account in the implementation thereof.

(5) The attorney general, at the request of the department, is empowered to recover moneys expended by the department from the hazardous waste control and elimination account under authority of this section when these funds were utilized to respond to an unpermitted spill or discharge or to control the release or threatened release of hazardous substances or wastes. Recovery authorized by this section shall be from any person owning or controlling the material spilled or discharged. Actions to recover moneys may be initiated in the superior court of Thurston county or any county in which the hazardous waste site or activity is located. Moneys recovered under this section shall be paid into the hazardous waste control and elimination account.

NEW SECTION. Sec. 7. Any person aggrieved by a determination of the department of ecology pertaining to the fee imposed under section 3(1) of this act or to a specific fee contained in a statement issued under section 4(1) of this act may obtain review thereof by the pollution control hearings board in the same manner as review may be obtained of permits issued by the department pursuant to RCW 90.48.160, if a petition requesting review is filed with the board within thirty days of the day of service of the determination or of the statement of fees due. There shall be no increase in an amount set forth in a statement, as provided in section 8(1) of this act, during any period of time when a review proceeding is pending before the board or a reviewing court. This section shall have no applicability to the adoption of rules by the department pursuant to section 4(1) of this act.

NEW SECTION. Sec. 8. (1) The fees required by section 3(2) or 4(1) of this act, when due and payable, shall bear interest at the rate of nine percent per annum for each month (or portion thereof) that the fee is not paid.

(2) The department of ecology may levy civil penalties in the amount of up to five hundred dollars for each day fees and interest due and owing under section 4 or 8(1) of this act are

unpaid. The procedures relating to levying and collection of penalties set forth in RCW 90.48-.144 shall be applied to penalties levied under this section. Moneys collected under this subsection shall be placed in the hazardous waste control and elimination account.

(3) The attorney general is authorized to initiate such actions in the courts as are necessary and appropriate to insure compliance with the provisions of this chapter.

NEW SECTION, Sec. 9. (1) If any provision of this chapter or a portion thereof or its application to any person or legal entity or circumstances is held invalid, the remainder of the chapter, or the application of the provision or a portion thereof to other persons or legal entities or circumstances, shall not be affected.

(2) This chapter is exempted from the rule of strict construction, and it shall be liberally construed to give full effect to the objectives and purposes for which it was enacted.

(3) Nothing in this chapter relates to radioactive wastes, however characterized, and the department is precluded from using the funds of the hazardous waste control and elimination account for the regulation and control of such wastes.

(4) Consistent with subsection (2) of this section and taking into account the ambiguities of federal law relating to possible preemption of exercise of powers provided to the department in this chapter, the department shall implement this chapter, to the maximum extent reasonably attainable, to insure that no conflict with those preemptive aspects takes place.

NEW SECTION, Sec. 10. There is appropriated to the department of ecology from the hazardous waste control and elimination account in the general fund for the biennium ending June 30, 1985, the sum of one million four hundred sixty-four thousand dollars, or so much thereof as may be necessary, to administer the purposes of section 1(2)(a) through (c) of this act.

NEW SECTION, Sec. 11. There is appropriated to the department of revenue from the hazardous waste control and elimination account in the general fund for the biennium ending June 30, 1985, the sum of fifty-nine thousand eight hundred six dollars, or so much thereof as may be necessary, to administer the collection of fees as provided in this act.

NEW SECTION, Sec. 12. There is appropriated to the department of ecology from the general fund for the biennium ending June 30, 1985, the sum of four million three hundred thousand dollars, or so much thereof as may be necessary, to administer the purposes of section 1(2)(d) through (f) of this act.

NEW SECTION, Sec. 13. The state treasurer is authorized to use revenue collected pursuant to sections 1 through 9 of this act, to the extent this revenue exceeds any legislative appropriation of the revenue to the department of ecology for purposes of section 1(2)(a) through (c) of this act to reimburse general fund expenditures for cleanup and restoration of those sites pursuant to section 1(2)(d) through (f) of this act.

NEW SECTION, Sec. 14. Sections 1 through 9 of this act shall constitute a new chapter in Title 70 RCW.

NEW SECTION, Sec. 15. (1) 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 as follows:

(a) The powers provided to the department of ecology relating to the adoption of rules under sections 3(2) and 4(1) of this act shall take effect immediately; and

(b) The remainder of this act shall take effect on July 1, 1983.

(2) The annual fee due and payable under section 3 of this act on June 30, 1984, shall, following computation of the annual gross income of the business for the calendar year 1983, be prorated for the period July 1, 1983, through December 31, 1983."

#### MOTION

Senator Hughes moved the following amendment to the Committee on Parks and Ecology amendment be adopted:

On page 13, line 14, strike "and 70.105.130" and insert "70.105.130 and 70.105.\_\_\_\_ (SSB 4245, sections 2 and 3)"

The President declared the question before the Senate to be adoption of the amendment to the Committee on Parks and Ecology amendment.

The motion by Senator Hughes carried and the amendment to the committee amendment was adopted.

The President declared the question before the Senate to be adoption of the Committee on Parks and Ecology amendment, as amended.

The motion by Senator Hughes carried and the committee amendment, as amended, was adopted.

#### MOTION

On motion of Senator Hughes, the following title amendment was adopted:

On page 1, beginning on line 1 of the title, after "wastes;" strike the remainder of the title and insert "adding a new chapter to Title 70 RCW; creating a new section; prescribing penalties; making appropriations; providing effective dates; and declaring an emergency."

MOTION

On motion of Senator Hughes, the rules were suspended, Substitute House Bill No. 712, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Substitute House Bill No. 712, as amended by the Senate.

ROLL CALL

The Secretary called the roll on final passage of Substitute House Bill No. 712, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; absent, 1; excused, 1.

Voting yea: Senators Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 45.

Voting nay: Senators Barr, Haley - 2.

Absent: Senator Rasmussen - 1.

Excused: Senator von Reichbauer - 1.

SUBSTITUTE HOUSE BILL NO. 712, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

May 17, 1983

Mr. President:

The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 3750 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.071 are each amended to read as follows:

(1) Upon every person engaging within this state in business as a harvester of timber; as to such persons the amount of tax imposed with respect to such business shall be equal to the stumpage value of timber harvested between July 1, 1983, and June 30, 1985, inclusive, for sale or for commercial or industrial use multiplied by the ~~((appropriate))~~ rate ~~((as follows:))~~ of six and one-half percent.

~~For timber harvested between October 1, 1974 and June 30, 1983, inclusive;))~~

(2) For purposes of this section:

(a) "Harvester" means every person who from his own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services fells, cuts or takes timber for sale or for commercial or industrial use. It does not include persons performing under contract the necessary labor or mechanical services for a harvester.

(b) "Timber" means forest trees, standing or down, on privately or publicly owned land, and except as provided in RCW 84.33.170 includes Christmas trees.

(c) "Stumpage value of timber" means the appropriate stumpage value shown on tables to be prepared by the department of revenue pursuant to subsection (3) of this section.

(d) Timber shall be considered harvested at the time when in the ordinary course of business the quantity thereof by species is first definitely determined. The amount harvested shall be determined by the Scribner Decimal C Scale or other prevalent measuring practice adjusted to arrive at substantially equivalent measurements, as approved by the department of revenue.

(3) The department of revenue shall designate areas containing timber having similar growing, harvesting and marketing conditions to be used as units for the preparation and application of stumpage values. Each year on or before December 31 for use the following January through June 30, and on or before June 30 for use the following July through December 31, the department shall prepare tables of stumpage values of each species or subclassification of timber within such units, which values shall be the amount that each such species or subclassification would sell for at a voluntary sale made in the ordinary course of business for purposes of immediate harvest. Such stumpage values, expressed in terms of a dollar amount per thousand board feet or other unit measure, shall be determined from (a)

gross proceeds from sales on the stump of similar timber of like quality and character at similar locations, and in similar quantities, or from (b) gross proceeds from sales of logs adjusted to reflect only the portion of such proceeds attributable to value on the stump immediately prior to harvest, or from a combination of (a) and (b), and shall be determined in a manner which makes reasonable and adequate allowances for age, size, quality, costs of removal, accessibility to point of conversion, market conditions and all other relevant factors. Upon application from any person who plans to harvest damaged timber, the stumpage values for which have been materially reduced from the values shown in the applicable tables due to damage resulting from fire, blow down, ice storm, flood or other sudden unforeseen cause, the department shall revise such tables for any area in which such timber is located and shall specify any additional accounting or other requirements to be complied with in reporting and paying such tax. The preliminary area designations and stumpage value tables and any revisions thereof shall be subject to review by the ways and means committees of the house and senate prior to finalization. Tables of stumpage values shall be signed by the director or his designee and authenticated by the official seal of the department. A copy thereof shall be mailed to anyone who has submitted to the department a written request therefor.

(4) On or before the sixtieth day after the date of final adoption of any stumpage value tables, any harvester may appeal to the board of tax appeals for a revision of stumpage values for an area determined pursuant to subsection (3) of this section.

(5) There are hereby created in the state treasury a state timber tax account A and a state timber tax reserve account in the state general fund and any interest earned on the investment of cash balances shall be deposited in these accounts. The revenues from the tax imposed by subsection (1) of this section on timber harvested from privately owned land shall be deposited in state timber tax account A and state timber tax reserve account as follows:

YEAR OF COLLECTION	ACCOUNT A	RESERVE ACCOUNT
1973 and thereafter	100%	0%

The revenues from the tax imposed by subsection (1) of this section on timber harvested from publicly owned land shall be deposited in the state general fund.

(6) The tax imposed under this section shall be computed with respect to timber harvested each calendar quarter and shall be due and payable in quarterly installments and remittance therefor shall be made on or before the last day of the month next succeeding the end of the quarterly period in which the tax accrued. The taxpayer on or before such date shall make out a return, upon such forms and setting forth such information as the department of revenue may require, showing the amount of the tax for which he is liable for the preceding quarterly period, and shall sign and transmit the same to the department of revenue, together with a remittance for such amount.

(7) The taxes imposed by this section shall be in addition to any taxes imposed upon the same persons pursuant to one or more of sections RCW 82.04.230 to 82.04.290, inclusive, and RCW 82.04.440, and none of such sections shall be construed to modify or interact with this section in any way, except RCW 82.04.450 and 82.32.045 shall not apply to the taxes imposed by this section.

(8) Any harvester incurring less than ten dollars tax liability under this section in any calendar quarter shall be excused from the payment of such tax, but may be required by the department of revenue to file a return even though no tax may be due.

**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, 1983."

On page 1, line 1 of the title, after "taxation;" strike the remainder of the title and insert "amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.071; providing an effective date; and declaring an emergency."

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

Senator McDermott moved that the Senate do concur in the House amendments to Engrossed Substitute Senate Bill No. 3750.

Debate ensued.

Senators Peterson, Gaspard and Conner demanded the previous question and the demand was sustained.

Senator McDermott demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator McDermott to concur in the House amendments to Engrossed Substitute Senate Bill No. 3750.



ROLL CALL

The Secretary called the roll and the motion by Senator McDermott failed and the Senate did not concur in the House amendments to Engrossed Substitute Senate Bill No. 3750 by the following vote: Yeas, 15; nays, 32; absent, 1; excused, 1.

Voting yea: Senators Bauer, Bender, Bottiger, Fleming, Gaspard, Hughes, Hurley, McDermott, Moore, Rinehart, Shipoch, Talmadge, Thompson, Williams, Wojahn - 15.

Voting nay: Senators Barr, Benitz, Bluechel, Clarke, Conner, Craswell, Deccio, Fuller, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, McManus, Metcalf, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Sellar, Vognild, Warnke, Woody, Zimmerman - 32.

Absent: Senator Rasmussen - 1.

Excused: Senator von Reichbauer - 1.

The Senate did not concur in the House amendments to Engrossed Substitute Senate Bill No. 3750 and asks the House to recede therefrom.

MOTION

At 9:57 p.m., on motion of Senator Bottiger, the Senate was declared to be at ease.

The President called the Senate to order at 12:07 a.m.

REPORT OF CONFERENCE COMMITTEE

May 20, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred, ENGROSSED SUBSTITUTE HOUSE BILL NO. 55, adopting the capital budget, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill as follows:

AN ACT Adopting the capital budget; making appropriations and authorizing expenditures for capital improvements; authorizing certain projects; providing an effective date; and declaring an emergency.

NEW SECTION. Sec. 1. A capital budget is hereby adopted and, subject to the provisions set forth in this act, the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for capital projects during the period ending June 30, 1985, out of the several funds specified in this act.

INDEX

- Arts Commission, sec. 903
- Central Washington University, secs. 835-851
- Commerce and Economic Development Department, sec. 901
- Community College Education Board, secs. 863-886
- Corrections Department, secs. 228-244
- Eastern Washington University, secs. 826-834
- Ecology Department, secs. 301-318
- Education, State Board of, sec. 887
- Emergency Services Department, sec. 139
- Employment Security Department, sec. 245
- Evergreen State College, secs. 853-858
- Fisheries Department, secs. 501-546
- Game Department, secs. 601-646
- General Administration Department, secs. 101-128
- Labor and Industries Department, sec. 246
- Military Department, secs. 133-138
- Natural Resources Department, secs. 701-722
- Parks and Recreation Commission, secs. 401-433
- Secretary of State, secs. 129-132
- Social and Health Services Department, secs. 201-227
  - Departmental Capital Services (Headquarters), secs. 201-208
  - Developmental Disabilities, secs. 214-219
  - Juvenile Rehabilitation, secs. 209-213
  - Mental Health, secs. 220-227
- State Treasurer, sec. 902
- University of Washington, secs. 814-825
- Veterans Affairs Department, sec. 244
- Vocational Education Commission, sec. 888

Washington State University, secs. 815-825

Western Washington State University, secs. 859-862

NEW SECTION. Sec. 2. As used in this act, the following phrases have the following meanings:

"GF, Cap Bldg Constr Acct" means General Fund—Capital Building Construction Account;

"GF, State Bldg Constr Acct" means General Fund—State Building Construction Account;

"GF, Fish Cap Proj Acct" means General Fund—Fisheries Capital Projects Account;

"GF, ORA" means General Fund—Outdoor Recreation Account;

"GF, Sal Enhmt Constr Acct" means General Fund—Salmon Enhancement Construction Account;

Account;

"GF, For Dev Acct" means General Fund—Forest Development Account;

"GF, Res Mgmt Cost Acct" means General Fund—Resource Management Cost Account;

"GF, LIRA, DSHS Fac" means General Fund—Local Improvements Revolving Account—Department of Social and Health Services Facilities;

"GF, DSHS Constr Acct" means General Fund—State Social and Health Services Construction Account;

"GF, CEP & RI Acct" means General Fund—Charitable, Educational, Penal, and Reformatory Institutions Account;

"GF, Fire Trng Constr Acct" means General Fund—Fire Training Construction Account;

"GF, WSU Bldg Acct" means General Fund—Washington State University Building Account;

"GF, St H Ed Constr Acct" means General Fund—State Higher Education Construction Account;

"GF, EWU Cap Proj Acct" means General Fund—Eastern Washington University Capital Projects Account;

"GF, TESC Cap Proj Acct" means General Fund—The Evergreen State College Capital Projects Account;

"GF, Com Col Cap Impvmt Acct" means General Fund—Community College Capital Improvement Account;

"GF, Com Col Cap Proj Acct" means General Fund—Community College Capital Projects Account;

"GF, Com Col Cap Constr Acct" means General Fund—1975 Community College Capital Construction Account;

"GF, CWU Cap Proj Acct" means General Fund—Central Washington University Capital Projects Account;

"GF, UW Bldg Acct" means General Fund—University of Washington Building Account;

"GF, St Bldg Auth Constr Acct" means General Fund—State Building Authority Construction Account;

"GF, WWU Cap Proj Acct" means General Fund—Western Washington University Capital Projects Account;

"GF, Cap Purch & Dev Acct" means General Fund—Capitol Purchase and Development Account;

"GF, Hndcp Fac Constr Acct" means General Fund—Handicapped Facilities Construction Account;

"GF, LIRA, Waste Disp Fac" means General Fund—State and Local Improvement Revolving Account—Waste Disposal Facilities;

"GF, State Emerg Water Proj Rev" means General Fund—Emergency Water Project Revolving Account—State;

"GF, LIRA, Waste Fac 1980" means General Fund—State and Local Improvement Revolving Account—Waste Disposal Facilities 1980;

"GF, LIRA, Water Sup Fac" means General Fund—State and Local Improvement Revolving Account—Water Supply Facilities;

"GF, LIRA" means General Fund—State and Local Improvement Revolving Account;

"GF, LIRA, Public Rec Fac" means General Fund State and Local Improvement Revolving Account—Public Recreation Facilities;

"GF, PNW Fest Fac Constr Acct" means General Fund—Pacific Northwest Festival Facility Construction Account;

"GF, Cultural Fac Constr Acct" means General Fund—Cultural Facilities Construction Account;

"GF, H Ed Constr Acct" means General Fund—Higher Education Construction Account 1979;

"MV, State Patrol Hiwy Acct" means Motor Vehicle Fund—State Patrol Highway Account.

The words "capital improvements" or "capital projects" used in this act mean acquisition of sites, easements, rights of way, or improvements thereon and appurtenances thereto, construction and initial equipment, reconstruction, demolition, or major alterations of new or presently owned capital assets.

PART I  
GENERAL GOVERNMENT

NEW SECTION, Sec. 101. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To conduct an energy audit program of all state-owned buildings.

	Reappropriation	Appropriation
GF. State Bldg Constr Acct	3,971,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,620,900		6,592,500

NEW SECTION, Sec. 102. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To complete the house office building basement alteration and ground floor hearing rooms remodel.

	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct	40,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
960,000		1,000,000

NEW SECTION, Sec. 103. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To provide for emergency repair projects on the Capitol campus, including the old capitol, and Capitol Lake.

	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		216,000
GF. Cap Purch & Dev Acct		72,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		288,000

NEW SECTION, Sec. 104. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To undertake three nondeferrable repair projects on the capitol campus.

	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		24,000
GF. Cap Purch & Dev Acct		576,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		600,000

NEW SECTION, Sec. 105. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To provide for unanticipated repairs and improvements on the capitol campus.

	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		216,000
GF. Cap Purch & Dev Acct		72,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		288,000

NEW SECTION, Sec. 106. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To implement three minor improvement projects on the capitol campus.

	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		72,000
GF. Cap Purch & Dev Acct		5,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		77,000

NEW SECTION, Sec. 107. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To repair existing campus elevators, escalators, and other conveyance systems.

	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		106,000
GF. Cap Purch & Dev Acct		87,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

6/30/83	Thereafter	2,215,000
	2,022,000	2,215,000
<u>NEW SECTION, Sec. 108. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
To replace and maintain the roofs on capitol campus buildings.		
	Reappropriation	Appropriation
GF, State Bldg Constr Acct		298,000
GF, Cap Purch & Dev Acct		60,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		358,000
<u>NEW SECTION, Sec. 109. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
To study repair and improve the water distribution system.		
	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		175,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	581,500	756,500
<u>NEW SECTION, Sec. 110. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
To provide a fire and water damage protection system for the state library.		
	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		399,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		399,000
<u>NEW SECTION, Sec. 111. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
To replace the water chiller at the employment security building.		
	Reappropriation	Appropriation
GF, Cap Purch & Dev Acct		500,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		500,000
<u>NEW SECTION, Sec. 112. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
To provide improvements for handicapped access.		
	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		34,000
GF, Cap Purch & Dev Acct		259,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	886,000	1,179,000
<u>NEW SECTION, Sec. 113. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
To convert industrial space vacated by the state printer in the general administration building to office space for the state auditor and the state treasurer, and to renovate vacated computer space in the state treasurer's office.		
	Reappropriation	Appropriation
GF, State Bldg Constr Acct		3,890,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		3,890,000
<u>NEW SECTION, Sec. 114. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
To provide for the installation of energy conservation measures in various capitol campus buildings.		
	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		510,000
GF, Cap Purch & Dev Acct		368,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

6/30/83	Thereafter		
	1,435,000		2,313,000
<u>NEW SECTION, Sec. 115. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>			
<u>To correct leaks in the capitol campus garage.</u>			
		Reappropriation	Appropriation
GF. Cap Purch & Dev Acct			362,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			362,000
<u>NEW SECTION, Sec. 116. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>			
<u>To effect critical repairs at the northern state multiservice center.</u>			
		Reappropriation	Appropriation
GF. State Bldg Constr Acct			100,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	3,768,800		3,868,800
<u>NEW SECTION, Sec. 117. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>			
<u>For Northern State Hospital repairs.</u>			
		Reappropriation	Appropriation
GF. State Bldg Constr Acct		150,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
1,925,000			2,075,000
<u>NEW SECTION, Sec. 118. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>			
<u>For campus electrical repairs.</u>			
		Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		490,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
4,494,000	210,000		5,194,000
<u>NEW SECTION, Sec. 119. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>			
<u>For capitol campus electrical energy conservation.</u>			
		Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		100,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
368,000			468,000
<u>NEW SECTION, Sec. 120. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>			
<u>For powerhouse equipment modifications and replacement.</u>			
		Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		200,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
787,000			987,000
<u>NEW SECTION, Sec. 121. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>			
<u>For alterations to a portion of the state modular office building at airudstrial park for the state printer.</u>			
		Reappropriation	Appropriation
GF. State Bldg Constr Acct		1,017,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
389,300			1,406,300
<u>NEW SECTION, Sec. 122. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>			
<u>To rehabilitate Capitol Lake.</u>			
		Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		809,000	

Project Costs Through 6/30/83 763,000	Estimated Costs 7/1/85 and Thereafter 591,000	Estimated Total Costs 2,163,000
<u>NEW SECTION, Sec. 123. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
For office Building No. 2 window drip cap installation.		
	Reappropriation 106,000	Appropriation
GF, Cap Bldg Constr Acct		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 106,000
<u>NEW SECTION, Sec. 124. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
For alteration of the basement and ground floor of the general administration building for use as office space: design only.		
	Reappropriation 435,000	Appropriation
GF, Cap Bldg Constr Acct		
Project Costs Through 6/30/83 15,000	Estimated Costs 7/1/85 and Thereafter 5,050,000	Estimated Total Costs 5,500,000
<u>NEW SECTION, Sec. 125. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
For elevator/escalator repair and replacement.		
	Reappropriation 345,000	Appropriation
GF, Cap Bldg Constr Acct		
Project Costs Through 6/30/83 500,000	Estimated Costs 7/1/85 and Thereafter 5,000	Estimated Total Costs 850,000
<u>NEW SECTION, Sec. 126. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
For the acquisition of the McNeil Island complex including Gertrude and Pitt Islands.		
	Reappropriation	Appropriation 8,800,000
GF, State Bldg Constr Acct		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 8,800,000
<u>NEW SECTION, Sec. 127. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
To provide for alterations to the Public Lands Building for two ground level floor senate hearing rooms and support spaces. Includes funds not to exceed \$284,000 for department of natural resources office modifications and relocation of department of natural resources functions.		
	Reappropriation	Appropriation 885,000
GF, Cap Bldg Constr Acct		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 885,000
<u>NEW SECTION, Sec. 128. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
To provide for Phase II House Office Building remodel.		
	Reappropriation	Appropriation 1,452,000
GF, Cap Bldg Constr Acct		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 1,452,000
<u>NEW SECTION, Sec. 129. FOR THE SECRETARY OF STATE</u>		
For renovation of the central Washington regional archives in Ellensburg.		
	Reappropriation	Appropriation 25,000
GF, State Bldg Constr Acct		
Project Costs Through	Estimated Costs 7/1/85 and	Estimated Total Costs

6/30/83	Thereafter	
32,000		57,000
<u>NEW SECTION, Sec. 130. FOR THE SECRETARY OF STATE</u>		
Renovate regional archives in King County.		
	Reappropriation	Appropriation
GF, State Bldg Constr Acct		48,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
14,000		62,000
<u>NEW SECTION, Sec. 131. FOR THE SECRETARY OF STATE</u>		
Remodel existing space in the archives and records center in Olympia for a conservation laboratory.		
	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		37,800
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		37,800
<u>NEW SECTION, Sec. 132. FOR THE SECRETARY OF STATE</u>		
Renovations to radar tower for records storage purposes in Blaine.		
	Reappropriation	Appropriation
GF, State Bldg Constr Acct		37,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		37,000
<u>NEW SECTION, Sec. 133. FOR THE MILITARY DEPARTMENT</u>		
Provide for minor renovation and energy conservation projects.		
	Reappropriation	Appropriation
GF, State Bldg Constr Acct		724,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		724,000
<u>NEW SECTION, Sec. 134. FOR THE MILITARY DEPARTMENT</u>		
To construct and equip maintenance shop—Fort Lewis.		
	Reappropriation	Appropriation
General Fund, Federal		1,438,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	268,000	1,706,000
<u>NEW SECTION, Sec. 135. FOR THE MILITARY DEPARTMENT</u>		
To construct and equip maintenance shop—Ephrata army.		
	Reappropriation	Appropriation
General Fund, Federal		193,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	35,000	228,000
<u>NEW SECTION, Sec. 136. FOR THE MILITARY DEPARTMENT</u>		
Construct and equip a 200-man army—Vancouver barracks.		
	Reappropriation	Appropriation
General Fund, Federal		78,000
GF, State Bldg Constr Acct		39,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	2,004,000	2,121,000
<u>NEW SECTION, Sec. 137. FOR THE MILITARY DEPARTMENT</u>		
Acquire and equip a 200-man army—South King County.		

	Reappropriation	Appropriation
General Fund, Federal		1,260,000
GF, State Bldg Constr Acct	20,000	515,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
105,000		1,900,000

NEW SECTION, Sec. 138. FOR THE MILITARY DEPARTMENT

Complete exterior renovation and engineering study on total building renovation—  
Tacoma Army.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		120,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	2,555,700	2,675,700

NEW SECTION, Sec. 139. FOR THE DEPARTMENT OF EMERGENCY SERVICES

Study to determine location and design of an emergency services command center.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		31,000
General Fund, Federal		6,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		37,000

PART II  
HUMAN RESOURCES

NEW SECTION, Sec. 201. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

Repairs and improvements—State-wide.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	783,200	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,216,800		2,000,000

NEW SECTION, Sec. 202. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

(1) Construct and equip facilities for the care, training, and rehabilitation of persons with sensory, physical or mental handicaps (Referendum 37—Phase III).

(2) Approve, construct, and equip facilities for the care, training, and rehabilitation of persons with sensory, physical, or mental handicaps involving twenty projects and totaling \$2,645,000. The moneys allocated in this section shall revert for reallocation if the final application for the project has not been submitted by December 31, 1983, and approved by March 31, 1984 (Referendum 37—Phase IV).

	Reappropriation	Appropriation
GF, Hndcp Fac Constr Acct	12,057,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
12,943,000		25,000,000

NEW SECTION, Sec. 203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

The department of social and health services is authorized to allocate \$1,650,000 in Referendum 29 funds to the City of Seattle for the Downtown Seattle Special Residence for the Mentally Ill. The City of Seattle must submit an application by December 31, 1983, and must receive department approval by March 31, 1984, or the amount authorized shall lapse.

	Reappropriation	Appropriation
GF, LIRA, DSHS Fac		1,300,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,300,000



NEW SECTION, Sec. 204. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

Comply with section 504 relating to handicapped access to facilities.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	10,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
366,085	180,000	556,085

NEW SECTION, Sec. 205. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

Construct and equip a new state public health laboratory.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	675,000	10,163,100
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
440,900		11,279,000

NEW SECTION, Sec. 206. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

Establish and implement energy conservation program—DSHS institutions.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	750,000	1,174,900
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
690,000		2,614,900

NEW SECTION, Sec. 207. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

Develop project plans for major current and backlog facility deficiencies.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	90,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
201,239		291,239

NEW SECTION, Sec. 208. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

Renovation, repair, and construction related to small projects.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		2,637,600
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		2,637,600

NEW SECTION, Sec. 209. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION

Renovate kitchen, dining room, and administration building and construct new commissary—Naselle Youth Camp.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	60,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,867,500		1,927,500

NEW SECTION, Sec. 210. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION

Upgrade facilities including vocational and educational buildings—Green Hill School.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	365,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

6/30/83	Thereafter		
1,435,000			1,800,000
NEW SECTION, Sec. 211. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION			
Repair and replace roofs—Echo Glen Children's Center.			
	Reappropriation		Appropriation
GF, DSHS Constr Acct			1,231,700
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
209,200			1,440,900
NEW SECTION, Sec. 212. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION			
Repair utilities—Maple Lane.			
	Reappropriation		Appropriation
GF, DSHS Constr Acct			609,100
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			609,100
NEW SECTION, Sec. 213. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION			
Repair utilities—Green Hill School.			
	Reappropriation		Appropriation
GF, DSHS Constr Acct			307,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			307,000
NEW SECTION, Sec. 214. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES			
Renovate Douglas Hall, renovate or construct infirmary, renovate habilitation center, make utility and site improvements, demolish old buildings on north campus, design through working drawings for Phase IV—Lakeland Village.			
	Reappropriation		Appropriation
GF, DSHS Constr Acct			4,824,500
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
17,119,700			1,425,500
			23,369,700
NEW SECTION, Sec. 215. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES			
Construct and equip nine residential units, renovate skilled nursing center and health center, renovate kitchen, improve facilities and site, design through working drawings for Phase IV—Rainier School.			
	Reappropriation		Appropriation
GF, DSHS Constr Acct			9,174,800
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
22,956,200			32,131,000
NEW SECTION, Sec. 216. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES			
Renovate and equip the main building, Phase III—Yakima Valley School.			
	Reappropriation		Appropriation
GF, DSHS Constr Acct			83,700
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
7,882,300			6,276,100
			14,242,100
NEW SECTION, Sec. 217. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES			
Repair and upgrade utilities, and fire and safety improvements, Phase IV—Fircrest.			

GF, DSHS Constr Acct	Reappropriation	Appropriation
Project	75,000	1,615,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
3,805,300	Thereafter	
		5,495,300

NEW SECTION, Sec. 218. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES  
 Repair or replace roof—Interlake.

GF, DSHS Constr Acct	Reappropriation	Appropriation
Project		345,900
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		345,900

NEW SECTION, Sec. 219. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES  
 Construct and equip two additional 16-bed residential units—Complete Phase II—Frances Haddon Morgan.

GF, DSHS Constr Acct	Reappropriation	Appropriation
Project		2,612,500
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
1,167,000	Thereafter	
	3,500,000	7,279,500

NEW SECTION, Sec. 220. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH  
 Fire and safety improvements—Western State Hospital.

GF, DSHS Constr Acct	Reappropriation	Appropriation
Project		289,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		289,000

NEW SECTION, Sec. 221. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH  
 Repair cottages—Child Study and Treatment Center—Western State Hospital campus.

GF, DSHS Constr Acct	Reappropriation	Appropriation
Project		245,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		245,000

NEW SECTION, Sec. 222. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH  
 Completion of design, construction, and equipping 225-bed facility for the nonoffender population—Western State Hospital.

GF, DSHS Constr Acct	Reappropriation	Appropriation
Project	1,113,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
19,630,000	Thereafter	
	550,000	21,293,000

NEW SECTION, Sec. 223. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH  
 Completion of health, safety, facility, utility and roofing improvements—Western State Hospital.

GF, DSHS Constr Acct	Reappropriation	Appropriation
Project	838,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
1,493,000	Thereafter	
		2,331,000

NEW SECTION. Sec. 224. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH

Completion of design, construction, and equipping 130-bed facility for nonoffender population—Eastern State Hospital.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	50,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
11,985,000		12,035,000

NEW SECTION. Sec. 225. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH

Install emergency generator—Western State Hospital.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		655,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		655,700

NEW SECTION. Sec. 226. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH

Renovate wards—Eastern State Hospital.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		502,300
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	10,791,600	11,293,900

NEW SECTION. Sec. 227. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH

Renovate wards—Western State Hospital.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		377,100
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	16,096,800	16,473,900

NEW SECTION. Sec. 228. FOR THE DEPARTMENT OF CORRECTIONS

Cover current obligations related to design, site planning, and land acquisition for a 500-bed medium security corrections center at Grandview. New contracts or other expenditure obligations relative to construction of this project are to be deferred.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	1,500,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
830,000		2,330,000

NEW SECTION. Sec. 229. FOR THE DEPARTMENT OF CORRECTIONS

Renovate heating and ventilation system—McNeil Island.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	395,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
105,000		500,000

NEW SECTION. Sec. 230. FOR THE DEPARTMENT OF CORRECTIONS

Construct 500-bed medium security corrections center on the grounds of the Monroe Reformatory.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	12,970,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

6/30/83	Thereafter	
20,892,300		33,862,300
<u>NEW SECTION, Sec. 231. FOR THE DEPARTMENT OF CORRECTIONS</u>		
Repair facilities and utilities—McNeil Island.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	1,000,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,667,406		2,667,406
<u>NEW SECTION, Sec. 232. FOR THE DEPARTMENT OF CORRECTIONS</u>		
Construct a 500-bed medium security corrections center—Clallam Bay.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	7,148,400	33,247,305
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,601,600		42,997,305
<u>NEW SECTION, Sec. 233. FOR THE DEPARTMENT OF CORRECTIONS</u>		
Continue to upgrade utilities, living units, and security capabilities—Phase II, Washington State Penitentiary.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	14,000,000	6,480,784
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
12,907,492		33,388,276
<u>NEW SECTION, Sec. 234. FOR THE DEPARTMENT OF CORRECTIONS</u>		
Upgrade security, housing units, utilities, services, and inmate movement—Phase II, Washington State Reformatory.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	146,500	10,017,100
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
576,900	7,000,000	17,740,450
<u>NEW SECTION, Sec. 235. FOR THE DEPARTMENT OF CORRECTIONS</u>		
Provide facilities for 600 additional inmates—Washington Corrections Center, Shelton.		
	Reappropriation	Appropriation
GF, State Bldg Constr Acct		18,510,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		18,510,000
<u>NEW SECTION, Sec. 236. FOR THE DEPARTMENT OF CORRECTIONS</u>		
Emergency and unanticipated projects.		
	Reappropriation	Appropriation
GF, State Bldg Constr Acct		337,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		337,000
<u>NEW SECTION, Sec. 237. FOR THE DEPARTMENT OF CORRECTIONS</u>		
Renovation, repair, construction of small projects—state-wide.		
	Reappropriation	Appropriation
GF, State Bldg Constr Acct		1,943,203
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,943,203
<u>NEW SECTION, Sec. 238. FOR THE DEPARTMENT OF CORRECTIONS</u>		
Improve water quality—Washington State Reformatory.		

		Reappropriation	Appropriation 668,300
GF, State Bldg Constr Acct			Estimated
Project		Estimated	Total
Costs	7/1/85 and	Costs	Costs
Through	Thereafter		
6/30/83			668,300
<u>NEW SECTION, Sec. 239. FOR THE DEPARTMENT OF CORRECTIONS</u>			
Renovate farm housing and provide 200 additional beds—McNeil Island.			
		Reappropriation	Appropriation 871,165
GF, State Bldg Constr Acct			Estimated
Project		Estimated	Total
Costs	7/1/85 and	Costs	Costs
Through	Thereafter		
6/30/83			871,165
<u>NEW SECTION, Sec. 240. FOR THE DEPARTMENT OF CORRECTIONS</u>			
Improve capability to handle mentally disturbed inmates—Washington Corrections Center.			
		Reappropriation	Appropriation 319,954
GF, State Bldg Constr Acct			Estimated
Project		Estimated	Total
Costs	7/1/85 and	Costs	Costs
Through	Thereafter		
6/30/83			319,954
<u>NEW SECTION, Sec. 241. FOR THE DEPARTMENT OF CORRECTIONS</u>			
Construct maximum security inmate living units—Purdy Treatment Center for Women.			
		Reappropriation	Appropriation 280,800
GF, State Bldg Constr Acct			Estimated
Project		Estimated	Total
Costs	7/1/85 and	Costs	Costs
Through	Thereafter		
6/30/83	4,880,295		5,161,095
<u>NEW SECTION, Sec. 242. FOR THE DEPARTMENT OF CORRECTIONS</u>			
Install bag house to comply with the air pollution control board's air quality emissions standards—Washington Corrections Center.			
		Reappropriation	Appropriation 1,424,496
GF, State Bldg Constr Acct			Estimated
Project		Estimated	Total
Costs	7/1/85 and	Costs	Costs
Through	Thereafter		
6/30/83			1,424,496
<u>NEW SECTION, Sec. 243. FOR THE DEPARTMENT OF CORRECTIONS</u>			
Replace old, small-capacity passenger ferry boat with larger-capacity boat—McNeil Island.			
		Reappropriation	Appropriation 335,000
GF, State Bldg Constr Acct			Estimated
Project		Estimated	Total
Costs	7/1/85 and	Costs	Costs
Through	Thereafter		
6/30/83			335,000
<u>NEW SECTION, Sec. 244. FOR THE DEPARTMENT OF CORRECTIONS</u>			
Completion of repair and improvement of utilities and facilities—Omnibus.			
		Reappropriation	Appropriation 200,000
GF, DSHS Constr Acct			Estimated
Project		Estimated	Total
Costs	7/1/85 and	Costs	Costs
Through	Thereafter		
6/30/83			1,600,000
1,400,000			
<u>NEW SECTION, Sec. 245. FOR THE DEPARTMENT OF VETERANS AFFAIRS</u>			
Repair and improve facilities at the Soldiers' Home and Veterans' Home.			
		Reappropriation	Appropriation 255,000
GF, CEP & RI Acct			Estimated
Project		Estimated	Total
Costs	334,000	Costs	

Through 6/30/83 710,900	7/1/85 and Thereafter	Costs  1,299,900
<u>NEW SECTION. Sec. 246. FOR THE EMPLOYMENT SECURITY DEPARTMENT</u> Acquire land and construct an office building in Walla Walla.		
Reappropriation		Appropriation
Unemployment Compensation Administration Fund—Federal	545,000	246,250
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  791,250

NEW SECTION. Sec. 247. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

Repair and improve facilities at the Buckner rehabilitation center.

Reappropriation		Appropriation
Medical Aid Fund		209,234
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  209,234

PART III

DEPARTMENT OF ECOLOGY

NEW SECTION. Sec. 301. FOR THE DEPARTMENT OF ECOLOGY

Acquire property and construct building at Padilla Bay.

Reappropriation		Appropriation
GF. Federal	300,000	
GF. ORA—State	500,000	
Project Costs Through 6/30/83 896,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  1,696,000

NEW SECTION. Sec. 302. FOR THE DEPARTMENT OF ECOLOGY

Drilling of test observation wells in Island County.

Reappropriation		Appropriation
GF. State Emerg Water Proj Rev	480,000	
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  480,000

NEW SECTION. Sec. 303. FOR THE DEPARTMENT OF ECOLOGY

Provide low water fixtures to reduce water in drainfields, Alta Lake State Park.

Reappropriation		Appropriation
GF. LIRA. Waste Disp Fac	77,100	
Project Costs Through 6/30/83 35,700	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  112,800

NEW SECTION. Sec. 304. FOR THE DEPARTMENT OF ECOLOGY

To construct waste disposal facilities at Dash Point, Riverside, and Sacajawea State Parks.

Reappropriation		Appropriation
GF. LIRA. Waste Disp Fac	181,200	
Project Costs Through 6/30/83 564,800	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  746,000

NEW SECTION. Sec. 305. FOR THE DEPARTMENT OF ECOLOGY

To construct water supply facilities at Sacajawea State Park.

Reappropriation		Appropriation
GF. LIRA	124,900	
Project Costs Through 6/30/83 95,100	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  220,000

NEW SECTION, Sec. 306. FOR THE DEPARTMENT OF ECOLOGY

Equip three marine parks (Squaxin Island, Jones Island, and Sucia Island) with self-contained organic sewage treatment systems.

	Reappropriation	Appropriation
GF, LIRA Waste Fac 1980	91,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
36,100		127,100

NEW SECTION, Sec. 307. FOR THE DEPARTMENT OF ECOLOGY

Provide facilities in twenty-seven parks for the disposal of marine sewage from Porta-Potties.

	Reappropriation	Appropriation
GF, LIRA, Waste Fac 1980	104,800	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		104,800

NEW SECTION, Sec. 308. FOR THE DEPARTMENT OF ECOLOGY

Renovate primary and secondary water distribution system—Larrabee State Park.

	Reappropriation	Appropriation
GF, LIRA, Water Sup Fac	43,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		43,600

NEW SECTION, Sec. 309. FOR THE DEPARTMENT OF ECOLOGY

Provide water service connection for fire protection and public use—Saint Edward State Park.

	Reappropriation	Appropriation
GF, LIRA, Water Sup Fac	220,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		220,000

NEW SECTION, Sec. 310. FOR THE DEPARTMENT OF ECOLOGY

Provide for water system improvements—Sun Lakes State Park.

	Reappropriation	Appropriation
GF, LIRA, Water Sup Fac	35,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
48,600		83,600

NEW SECTION, Sec. 311. FOR THE DEPARTMENT OF ECOLOGY

Extend water system—Jones Island.

	Reappropriation	Appropriation
GF, LIRA—Water Sup Fac	48,300	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		48,300

NEW SECTION, Sec. 312. FOR THE DEPARTMENT OF ECOLOGY

Extend water system—Blake Island.

	Reappropriation	Appropriation
GF, LIRA—Water Sup Fac	87,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		87,700

NEW SECTION, Sec. 313. FOR THE DEPARTMENT OF ECOLOGY

Improve sewage lagoon—Brooks Memorial State Park, Klickitat County.

	Reappropriation	Appropriation
GF, LIRA, Waste Fac 1980		92,700



Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  92,700
----------------------------------------	------------------------------------------------	-------------------------------------------

NEW SECTION, Sec. 314. FOR THE DEPARTMENT OF ECOLOGY

Provide funds for sewage treatment facility expansion—Moran State Park, San Juan County.

GF, LIRA, Waste Fac 1980	Reappropriation	Appropriation 78,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  78,000

NEW SECTION, Sec. 315. FOR THE DEPARTMENT OF ECOLOGY

Connect Ocean City State Park's existing sewer system to Ocean Shores municipal sewer system—Grays Harbor County.

GF, LIRA, Waste Fac 1980	Reappropriation	Appropriation 120,400
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  120,400

NEW SECTION, Sec. 316. FOR THE DEPARTMENT OF ECOLOGY

Repair and remodel sewage system—Sun Lakes State Park, Grant County.

GF, LIRA, Waste Fac 1980	Reappropriation	Appropriation 312,700
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  312,700

NEW SECTION, Sec. 317. FOR THE DEPARTMENT OF ECOLOGY

Renovate sewage system—Illahee State Park, Kitsap County.

GF, LIRA, Waste Fac 1980	Reappropriation	Appropriation 38,800
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  38,800

NEW SECTION, Sec. 318. FOR THE DEPARTMENT OF ECOLOGY

Renovate sewage system—Pacific Beach State Park, Grays Harbor County.

GF, LIRA, Waste Fac 1980	Reappropriation	Appropriation 26,300
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  26,300

PART IV

STATE PARKS AND RECREATION COMMISSION

NEW SECTION, Sec. 401. FOR THE STATE PARKS AND RECREATION COMMISSION

Whatcom County Trails.

GF, ORA—State	Reappropriation 30,000	Appropriation
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  30,000

NEW SECTION, Sec. 402. FOR THE STATE PARKS AND RECREATION COMMISSION

Acquire access to ocean beach (Griffiths Friday)—Copalis.

GF, ORA—State	Reappropriation 105,000	Appropriation
GF, ORA—Federal	105,000	
Project Costs	Estimated Costs	Estimated Total

Through 6/30/83	7/1/85 and Thereafter	Costs
<u>NEW SECTION, Sec. 403. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		210,000
<u>Develop facilities—Fort Canby.</u>		
GF. ORA—State	Reappropriation	Appropriation
Project	44,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
44,000	Thereafter	88,000
<u>NEW SECTION, Sec. 404. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
<u>Develop facilities—Spencer Spit.</u>		
GF. ORA—State	Reappropriation	Appropriation
GF. ORA—Federal	85,000	
Project	85,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
468,000	Thereafter	638,000
<u>NEW SECTION, Sec. 405. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
<u>Acquire land—Squak Mountain.</u>		
GF. ORA—State	Reappropriation	Appropriation
GF. ORA—Federal	39,000	
Project	39,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	78,000
<u>NEW SECTION, Sec. 406. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
<u>Renovate facilities—Camp Wooten.</u>		
GF. ORA—State	Reappropriation	Appropriation
GF. ORA—Federal	20,700	
Project	20,700	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
67,600	Thereafter	109,000
<u>NEW SECTION, Sec. 407. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
<u>Develop facilities—Clallam Spit.</u>		
GF. ORA—State	Reappropriation	Appropriation
GF. ORA—Federal	88,500	
Project	88,500	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
2,000	Thereafter	179,000
<u>NEW SECTION, Sec. 408. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
<u>Acquire recreational sites—Beards Hollow and Penrose.</u>		
GF. ORA—State	Reappropriation	Appropriation
GF. ORA—Federal	58,900	
Project	58,900	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
8,222,500	Thereafter	8,340,300
<u>NEW SECTION, Sec. 409. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
<u>Continue to acquire approximately 350 to 400 acres and 1.5 miles of riverfront—Green River Gorge.</u>		
GF. ORA—State	Reappropriation	Appropriation
GF. ORA—Federal	296,000	
Project	96,300	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	
	Thereafter	

	Through 6/30/83 5,303,700	7/1/85 and Thereafter	Costs  5,696,000
<u>NEW SECTION.</u> Sec. 410. FOR THE STATE PARKS AND RECREATION COMMISSION			
Acquire approximately 152 acres adjacent to Yakima Sportsman State Park.			
		Reappropriation 150,000	Appropriation
GF. ORA—State	Project	Estimated	Estimated
	Costs	Costs	Total
	Through 6/30/83	7/1/85 and Thereafter	Costs
			150,000
<u>NEW SECTION.</u> Sec. 411. FOR THE STATE PARKS AND RECREATION COMMISSION			
Repair and replace timber breakwater—Fort Worden.			
		Reappropriation 22,600	Appropriation
GF. ORA—State	Project	Estimated	Estimated
	Costs	Costs	Total
	Through 6/30/83	7/1/85 and Thereafter	Costs
	171,200		193,800
<u>NEW SECTION.</u> Sec. 412. FOR THE STATE PARKS AND RECREATION COMMISSION			
Renovate car-top boat launch ramp and turnaround—Potholes.			
		Reappropriation 7,600	Appropriation
GF. ORA—State		7,600	
GF. ORA—Federal	Project	Estimated	Estimated
	Costs	Costs	Total
	Through 6/30/83	7/1/85 and Thereafter	Costs
	15,300		30,500
<u>NEW SECTION.</u> Sec. 413. FOR THE STATE PARKS AND RECREATION COMMISSION			
Expand boat moorage—Deception Pass.			
		Reappropriation 25,600	Appropriation
GF. ORA—State		25,600	
GF. ORA—Federal	Project	Estimated	Estimated
	Costs	Costs	Total
	Through 6/30/83	7/1/85 and Thereafter	Costs
			51,200
<u>NEW SECTION.</u> Sec. 414. FOR THE STATE PARKS AND RECREATION COMMISSION			
Renovate campground and day-use area—Riverside.			
		Reappropriation 106,000	Appropriation
GF. ORA—State	Project	Estimated	Estimated
	Costs	Costs	Total
	Through 6/30/83	7/1/85 and Thereafter	Costs
	194,000		300,000
<u>NEW SECTION.</u> Sec. 415. FOR THE STATE PARKS AND RECREATION COMMISSION			
Begin trail system development—Mt. Spokane.			
		Reappropriation 53,200	Appropriation
GF. ORA—State		53,200	
GF. ORA—Federal	Project	Estimated	Estimated
	Costs	Costs	Total
	Through 6/30/83	7/1/85 and Thereafter	Costs
	93,600		200,000
<u>NEW SECTION.</u> Sec. 416. FOR THE STATE PARKS AND RECREATION COMMISSION			
Construct small bathhouse and kitchen—Fort Worden.			
		Reappropriation 89,900	Appropriation
GF. ORA—State	Project	Estimated	Estimated
	Costs	Costs	Total
	Through 6/30/83	7/1/85 and Thereafter	Costs
	89,900		179,800
<u>NEW SECTION.</u> Sec. 417. FOR THE STATE PARKS AND RECREATION COMMISSION			

Renovate concession area—Twenty-Five Mile Creek.

	Reappropriation	Appropriation
GF, ORA—State	129,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
139,000		268,000

NEW SECTION, Sec. 418. FOR THE STATE PARKS AND RECREATION COMMISSION

Renovate day-use area—Saltwater.

	Reappropriation	Appropriation
GF, ORA—State	87,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
27,800		115,500

NEW SECTION, Sec. 419. FOR THE STATE PARKS AND RECREATION COMMISSION

Renovate campground area—Larrabee.

	Reappropriation	Appropriation
GF, ORA—State	68,600	
GF, ORA—Federal	68,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		137,200

NEW SECTION, Sec. 420. FOR THE STATE PARKS AND RECREATION COMMISSION

Renovate day-use area—Wenberg.

	Reappropriation	Appropriation
GF, ORA—State	98,400	
GF, ORA—Federal	35,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		134,100

NEW SECTION, Sec. 421. FOR THE STATE PARKS AND RECREATION COMMISSION

Renovate boat moorage areas: Squaxin Island, Mystery Bay, Jarrell Cove, Penrose Point, Blake Island, and Cornet Bay.

	Reappropriation	Appropriation
GF, ORA—State	139,500	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
292,800		432,300

NEW SECTION, Sec. 422. FOR THE STATE PARKS AND RECREATION COMMISSION

Begin phased restoration of day-use buildings—Millersylvania.

	Reappropriation	Appropriation
GF, ORA—State	96,000	
GF, ORA—Federal	73,400	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
79,900		249,300

NEW SECTION, Sec. 423. FOR THE STATE PARKS AND RECREATION COMMISSION

Renovate 25 campsites—Birch Bay.

	Reappropriation	Appropriation
GF, ORA—State	45,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
79,600		125,300

NEW SECTION, Sec. 424. FOR THE STATE PARKS AND RECREATION COMMISSION

Install rock riprap—Fort Casey.

	Reappropriation	Appropriation
GF, ORA—State	26,000	

Project Costs Through 6/30/83 26,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  52,000
<u>NEW SECTION, Sec. 425. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Acquire portions of riverbank on the Green River.		
GF, ORA—State	Reappropriation 151,500	Appropriation
Project Costs Through 6/30/83 598,500	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  750,000
<u>NEW SECTION, Sec. 426. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Provide emergency funds—State-wide.		
GF, LIRA, Pub Rec Fac	Reappropriation	Appropriation 400,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter 950,000	Estimated Total Costs  1,350,000
<u>NEW SECTION, Sec. 427. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Install 7,500 feet of underground cable—Fort Flagler.		
GF, LIRA, Pub Rec Fac	Reappropriation	Appropriation 53,800
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  53,800
<u>NEW SECTION, Sec. 428. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Insulate and install storm windows and weather stripping—State-wide.		
GF, LIRA, Pub Rec Fac	Reappropriation	Appropriation 71,600
Project Costs Through 6/30/83 150,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  221,600
<u>NEW SECTION, Sec. 429. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Provide insulation blankets for all hot water tanks—State-wide.		
GF, LIRA, Pub Rec Fac	Reappropriation	Appropriation 11,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  11,000
<u>NEW SECTION, Sec. 430. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Insulate ceilings and walls—Fort Warden.		
GF, LIRA, Pub Rec Fac	Reappropriation	Appropriation 255,200
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter 255,200	Estimated Total Costs  510,400
<u>NEW SECTION, Sec. 431. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Provide a new well and pump—Millersylvania.		
GF, ORA	Reappropriation	Appropriation 13,100
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  13,100
<u>NEW SECTION, Sec. 432. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Provide for complete assessment of the stability of Lake Sylvia dam and for minor repairs.		

GF. ORA		Reappropriation	Appropriation
	Project	Estimated	21,500
	Costs	Costs	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
			21,500

NEW SECTION, Sec. 433. FOR THE STATE PARKS AND RECREATION COMMISSION

Provide for interior building maintenance and repairs, including heating system, to preserve existing buildings—St. Edward.

GF. ORA		Reappropriation	Appropriation
	Project	Estimated	350,000
	Costs	Costs	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
	297,000		647,000

PART V

DEPARTMENT OF FISHERIES

NEW SECTION, Sec. 501. FOR THE DEPARTMENT OF FISHERIES

The legislature recognizes that the local economies of many communities are heavily dependent on the timber and fishing industries of the state and that the current economic recession has created extraordinarily high rates of unemployment in these communities. Therefore, it is the intent of section 501 of this act to direct the director, department of fisheries, to undertake and implement projects, including the administrative costs thereof, which will create employment opportunities for those unemployed as a result of the depressed timber and fishing industries and which:

(1) Enhance the natural salmon stocks in those rivers and streams which determine the ocean salmon quota and which, therefore, control the harvest opportunities for commercial and recreational ocean salmon fisheries;

(2) Improve the streams and rivers of this state which are important to the success of the natural stocks of salmon;

(3) Enhance the maximum utilization of existing salmon stocks; and

(4) Develop mini-modular mobile hatchery complexes on rehabilitated rivers and streams.

The director shall submit quarterly reports, beginning October 1, 1983, to the chairmen of the ways and means committees of the house of representatives and the senate containing:

(a) The projects initiated;

(b) The projects completed;

(c) The unduplicated counts of unemployed persons gaining employment because of this program;

(d) Department FTE involved; and

(e) Administrative costs.

To continue salmon enhancement projects and provide stream and river improvements for natural salmon stocks.

GF, Sal Enhmt Constr Acct		Reappropriation	Appropriation
	Project	5,000,000	
	Costs	Estimated	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
	17,716,700		22,716,700

NEW SECTION, Sec. 502. FOR THE DEPARTMENT OF FISHERIES

Pollution abatement and pond cleaning projects to ensure compliance with various water quality standards.

GF, Fish Cap Proj Acct		Reappropriation	Appropriation
	Project	280,800	
	Costs	Estimated	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
	3,718,100		3,998,900

NEW SECTION, Sec. 503. FOR THE DEPARTMENT OF FISHERIES

Handicapped access projects at various facilities.

GF, Fish Cap Proj Acct		Reappropriation	Appropriation
	Project	83,300	
	Costs	Estimated	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
	681,100		764,400

NEW SECTION. Sec. 504. FOR THE DEPARTMENT OF FISHERIES

To provide necessary replacements and alterations to the various hatcheries to maintain current production.

	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	576.000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,913.300		2,489.300

NEW SECTION. Sec. 505. FOR THE DEPARTMENT OF FISHERIES

To complete projects that will improve the operation and production efficiencies at various existing facilities.

	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	96.600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,289.400		1,386.000

NEW SECTION. Sec. 506. FOR THE DEPARTMENT OF FISHERIES

To replace and increase the power of auxiliary generators at various hatcheries.

	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	180.000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
300.200		480.200

NEW SECTION. Sec. 507. FOR THE DEPARTMENT OF FISHERIES

To riprap the banks and remove gravel deposits in Jordan Creek.

	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	410.000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
30.000		440.000

NEW SECTION. Sec. 508. FOR THE DEPARTMENT OF FISHERIES

To replace auxiliary hatchery fuel tanks.

	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	72.000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
72.400		144.400

NEW SECTION. Sec. 509. FOR THE DEPARTMENT OF FISHERIES

To replace Green River hatchery mud pumps and complete work in the channel of Soos Creek.

	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	4.000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
87.200		91.200

NEW SECTION. Sec. 510. FOR THE DEPARTMENT OF FISHERIES

To construct holding and spawning separation facilities at the Skagit hatchery.

	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	310.000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
30.800		340.800

NEW SECTION. Sec. 511. FOR THE DEPARTMENT OF FISHERIES

To construct a one-half acre adult salmon holding pond, including a fishway system from the Lewis River, and spawning and rearing pens.

GF. Fish Cap Proj Acct	Reappropriation	Appropriation
Project	370,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
69,500	Thereafter	
		439,500
<u>NEW SECTION, Sec. 512. FOR THE DEPARTMENT OF FISHERIES</u>		
To construct an incubation structure, drill wells, and install pipe to George Adams hatchery for chum fry.		
GF. Fish Cap Proj Acct	Reappropriation	Appropriation
Project	382,700	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
10,100	Thereafter	
		392,800
<u>NEW SECTION, Sec. 513. FOR THE DEPARTMENT OF FISHERIES</u>		
To replace the existing vertical intake pickets with an inclined picket intake at the Sunset Falls fishway.		
GF. Fish Cap Proj Acct	Reappropriation	Appropriation
Project	35,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
98,400	Thereafter	
		133,400
<u>NEW SECTION, Sec. 514. FOR THE DEPARTMENT OF FISHERIES</u>		
To riprap Soos Creek at the Green River hatchery.		
GF. Fish Cap Proj Acct	Reappropriation	Appropriation
Project	27,500	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
12,000	Thereafter	
		39,500
<u>NEW SECTION, Sec. 515. FOR THE DEPARTMENT OF FISHERIES</u>		
To provide isolated storage building or approved cabinet facilities for the storage of flammable materials at the primary hatchery locations.		
GF. Fish Cap Proj Acct	Reappropriation	Appropriation
Project	33,800	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
22,400	Thereafter	
		56,200
<u>NEW SECTION, Sec. 516. FOR THE DEPARTMENT OF FISHERIES</u>		
To revise the Skagit hatchery water intake system.		
GF. Fish Cap Proj Acct	Reappropriation	Appropriation
Project	161,900	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		161,900
<u>NEW SECTION, Sec. 517. FOR THE DEPARTMENT OF FISHERIES</u>		
To replace a portion of the Hurd Creek ponds main water supply line.		
GF. Fish Cap Proj Acct	Reappropriation	Appropriation
Project	177,300	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
1,200	Thereafter	
		178,500
<u>NEW SECTION, Sec. 518. FOR THE DEPARTMENT OF FISHERIES</u>		
To construct metal-pole storage buildings.		
GF. Fish Cap Proj Acct	Reappropriation	Appropriation
Project	37,000	
Costs	Estimated	Estimated
	Costs	Total



Through 6/30/83 414.100	7/1/85 and Thereafter	Costs	451.100
<u>NEW SECTION, Sec. 519. FOR THE DEPARTMENT OF FISHERIES</u> To drill a well and replace toilets at the Garrison hatchery.			
	Reappropriation	Appropriation	
GF, Fish Cap Proj Acct			29.400
Project	Estimated	Estimated	
Costs	Costs	Total	
Through 6/30/83 325.000	7/1/85 and Thereafter	Costs	354.400
<u>NEW SECTION, Sec. 520. FOR THE DEPARTMENT OF FISHERIES</u> To install incubators and improve the water supply at the Skykomish hatchery.			
	Reappropriation	Appropriation	
GF, Fish Cap Proj Acct			43.000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through 6/30/83 363.200	7/1/85 and Thereafter	Costs	406.200
<u>NEW SECTION, Sec. 521. FOR THE DEPARTMENT OF FISHERIES</u> To construct weirs on streams for the enhancement of egg production.			
	Reappropriation	Appropriation	
GF, Fish Cap Proj Acct			75.000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through 6/30/83 885.900	7/1/85 and Thereafter	Costs	960.900
<u>NEW SECTION, Sec. 522. FOR THE DEPARTMENT OF FISHERIES</u> To construct divider picket walls in the adult pond at the Soleduck hatchery.			
	Reappropriation	Appropriation	
GF, Fish Cap Proj Acct			32.000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through 6/30/83 238.200	7/1/85 and Thereafter	Costs	270.200
<u>NEW SECTION, Sec. 523. FOR THE DEPARTMENT OF FISHERIES</u> To replace damaged or missing gabions at the Soleduck hatchery.			
	Reappropriation	Appropriation	
GF, Fish Cap Proj Acct			45.000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through 6/30/83 2.100	7/1/85 and Thereafter	Costs	47.100
<u>NEW SECTION, Sec. 524. FOR THE DEPARTMENT OF FISHERIES</u> To purchase and install net pens at Squaxin Island.			
	Reappropriation	Appropriation	
GF, Fish Cap Proj Acct			8.000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through 6/30/83 192.000	7/1/85 and Thereafter	Costs	200.000
<u>NEW SECTION, Sec. 525. FOR THE DEPARTMENT OF FISHERIES</u> To renovate and make improvements for health and safety code compliance.			
	Reappropriation	Appropriation	
GF, Fish Cap Proj Acct			81.500
Project	Estimated	Estimated	
Costs	Costs	Total	
Through 6/30/83 1,514.300	7/1/85 and Thereafter	Costs	2,786.200
<u>NEW SECTION, Sec. 526. FOR THE DEPARTMENT OF FISHERIES</u> Improvements to conserve energy.			
	Reappropriation	Appropriation	
GF, Fish Cap Proj Acct			115.000

Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter 200,000	Estimated Total Costs  315,000
<u>NEW SECTION, Sec. 527. FOR THE DEPARTMENT OF FISHERIES</u>		
Minor replacement and alteration projects to sustain and improve hatchery operations.		
	Reappropriation	Appropriation 100,000
GF. Fish Cap Proj Acct		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  100,000
<u>NEW SECTION, Sec. 528. FOR THE DEPARTMENT OF FISHERIES</u>		
To renovate and increase the Willapa fish food freezer and provide additional freezer capacity at Minter Creek.		
	Reappropriation	Appropriation
GF. Fish Cap Proj Acct		269,100
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  269,100
<u>NEW SECTION, Sec. 529. FOR THE DEPARTMENT OF FISHERIES</u>		
To renovate the growth pond at Point Whitney.		
	Reappropriation	Appropriation
GF. Fish Cap Proj Acct		84,300
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  84,300
<u>NEW SECTION, Sec. 530. FOR THE DEPARTMENT OF FISHERIES</u>		
To remodel the Montesano regional coastal field office.		
	Reappropriation	Appropriation
GF. Fish Cap Proj Acct		60,500
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  60,500
<u>NEW SECTION, Sec. 531. FOR THE DEPARTMENT OF FISHERIES</u>		
To supplement the Green River sand separator with a mechanical water filtration system.		
	Reappropriation	Appropriation
GF. Fish Cap Proj Acct		175,700
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  175,700
<u>NEW SECTION, Sec. 532. FOR THE DEPARTMENT OF FISHERIES</u>		
To install a mechanical water filter system at Puyallup.		
	Reappropriation	Appropriation
GF. Fish Cap Proj Acct		117,100
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  117,100
<u>NEW SECTION, Sec. 533. FOR THE DEPARTMENT OF FISHERIES</u>		
To construct a concrete settling pond at Naselle.		
	Reappropriation	Appropriation
GF. Fish Cap Proj Acct		75,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  75,000
<u>NEW SECTION, Sec. 534. FOR THE DEPARTMENT OF FISHERIES</u>		

To install intruder detection systems at four hatcheries.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		120,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		120,000

NEW SECTION, Sec. 535. FOR THE DEPARTMENT OF FISHERIES

To drill two wells, develop a water supply system, and replace the egg incubator trays at Minter Creek.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		325,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		325,000

NEW SECTION, Sec. 536. FOR THE DEPARTMENT OF FISHERIES

To construct a public fishing pier and reef on the Tacoma waterfront.

	Reappropriation	Appropriation
GF, ORA—State	375,000	
GF, ORA—Federal	375,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
127,000		877,000

NEW SECTION, Sec. 537. FOR THE DEPARTMENT OF FISHERIES

To acquire and develop property on Oakland Bay.

	Reappropriation	Appropriation
GF, ORA—State	14,000	
GF, ORA—Federal	7,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
102,800		123,800

NEW SECTION, Sec. 538. FOR THE DEPARTMENT OF FISHERIES

To construct pedestrian access walkways at Westport.

	Reappropriation	Appropriation
GF, ORA—State	84,000	
GF, ORA—Federal	84,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
40,000		208,000

NEW SECTION, Sec. 539. FOR THE DEPARTMENT OF FISHERIES

To redevelop the Boston Harbor public boat launch.

	Reappropriation	Appropriation
GF, ORA	50,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
44,400		94,400

NEW SECTION, Sec. 540. FOR THE DEPARTMENT OF FISHERIES

To construct a recreational fishing area at the east end of the Hood Canal bridge.

	Reappropriation	Appropriation
GF, ORA	360,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
20,000		380,000

NEW SECTION, Sec. 541. FOR THE DEPARTMENT OF FISHERIES

To enhance the Frye Cove beach to create hardshell clam beds.

	Reappropriation	Appropriation
GF, ORA	35,000	

	Project Costs Through 6/30/83 10,500	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  45,500
	<u>NEW SECTION, Sec. 542. FOR THE DEPARTMENT OF FISHERIES</u> To enhance the Bywater Bay beach to create hardshell clam beds.		
		Reappropriation 20,000	Appropriation
GF, ORA	Project Costs Through 6/30/83 8,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  28,000
	<u>NEW SECTION, Sec. 543. FOR THE DEPARTMENT OF FISHERIES</u> To redevelop the public boat access facility at Pillar Point.		
		Reappropriation 159,000	Appropriation
GF, ORA	Project Costs Through 6/30/83 4,400	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  163,400
	<u>NEW SECTION, Sec. 544. FOR THE DEPARTMENT OF FISHERIES</u> To construct shelters on the Elliott Bay fishing pier.		
		Reappropriation 49,000	Appropriation
GF, ORA—State		45,000	
GF, ORA—Federal	Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  94,000
	<u>NEW SECTION, Sec. 545. FOR THE DEPARTMENT OF FISHERIES</u> To construct artificial reefs in Puget Sound and Hood Canal.		
		Reappropriation 50,000	Appropriation 75,000
GF, ORA—State			75,000
GF, ORA—Federal	Project Costs Through 6/30/83 50,000	Estimated Costs 7/1/85 and Thereafter 200,000	Estimated Total Costs  450,000
	<u>NEW SECTION, Sec. 546. FOR THE DEPARTMENT OF FISHERIES</u> To partially renovate the Snow Creek public boat launch.		
		Reappropriation	Appropriation 72,500
GF, ORA—State			72,500
GF, ORA—Federal	Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter 150,000	Estimated Total Costs  295,000
	PART VI		
	DEPARTMENT OF GAME		
	<u>NEW SECTION, Sec. 601. FOR THE DEPARTMENT OF GAME</u> Relocate Seattle regional office.		
		Reappropriation 316,000	Appropriation
Game Fund	Project Costs Through 6/30/83 1,044,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  1,360,000
	<u>NEW SECTION, Sec. 602. FOR THE DEPARTMENT OF GAME</u> Relocate engineering shop and storage facilities.		
		Reappropriation 719,700	Appropriation
Game Fund	Project Costs	Estimated Costs	Estimated Total

Through 6/30/83 277,000	7/1/85 and Thereafter	Costs	996,700
<u>NEW SECTION, Sec. 603. FOR THE DEPARTMENT OF GAME</u>			
Complete construction of public access—Wenas Lake, Yakima County.			
	Reappropriation	Appropriation	
GF, ORA—State	43,000		
Game Fund	27,000		
Project Costs	Estimated Costs	Estimated Total Costs	
Through 6/30/83 27,000	7/1/85 and Thereafter		97,000
<u>NEW SECTION, Sec. 604. FOR THE DEPARTMENT OF GAME</u>			
Redevelop public access facilities—Snake River, Asotin County.			
	Reappropriation	Appropriation	
GF, ORA—State	125,000		
Project Costs	Estimated Costs	Estimated Total Costs	
Through 5/30/83 2,000	7/1/85 and Thereafter		127,000
<u>NEW SECTION, Sec. 605. FOR THE DEPARTMENT OF GAME</u>			
Provide a float for fishing and boating—Clear Lake, Thurston County.			
	Reappropriation	Appropriation	
GF, ORA—State	22,000		
Project Costs	Estimated Costs	Estimated Total Costs	
Through 6/30/83 41,000	7/1/85 and Thereafter		63,000
<u>NEW SECTION, Sec. 606. FOR THE DEPARTMENT OF GAME</u>			
Construct boating facilities, interpretive facilities, trails, and water control structure— Tennant Lake H.M.A., Whatcom County.			
	Reappropriation	Appropriation	
GF, ORA—State	186,000		
Project Costs	Estimated Costs	Estimated Total Costs	
Through 6/30/83 1,000	7/1/85 and Thereafter		187,000
<u>NEW SECTION, Sec. 607. FOR THE DEPARTMENT OF GAME</u>			
Rebuild fishing dock and provide parking and sanitary facilities—Mercer Island, King County.			
	Reappropriation	Appropriation	
GF, ORA—State	58,000		
Project Costs	Estimated Costs	Estimated Total Costs	
Through 6/30/83 1,000	7/1/85 and Thereafter		59,000
<u>NEW SECTION, Sec. 608. FOR THE DEPARTMENT OF GAME</u>			
Construct public access facilities—Klickitat River.			
	Reappropriation	Appropriation	
GF, ORA—State	64,000		
Project Costs	Estimated Costs	Estimated Total Costs	
Through 6/30/83 1,000	7/1/85 and Thereafter		65,000
<u>NEW SECTION, Sec. 609. FOR THE DEPARTMENT OF GAME</u>			
Construct public access facilities—Lake Washington, King County.			
	Reappropriation	Appropriation	
GF, ORA—State	33,000		
Project Costs	Estimated Costs	Estimated Total Costs	
Through 6/30/83 1,000	7/1/85 and Thereafter		34,000
<u>NEW SECTION, Sec. 610. FOR THE DEPARTMENT OF GAME</u>			

Repair three dikes——Skagit Wildlife Recreation Area.

	Reappropriation	Appropriation
Game Fund——State	12,500	
Game Fund——Federal	37,500	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
52,600		102,600

NEW SECTION, Sec. 611. FOR THE DEPARTMENT OF GAME

Redevelop and construct boat launching facilities at Fazon Lake and Badger Lake.

	Reappropriation	Appropriation
GF. ORA——State	106,200	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
390,800		497,000

NEW SECTION, Sec. 612. FOR THE DEPARTMENT OF GAME

Construct new residence and upgrade domestic water supply——Ringold Rearing Pond.

	Reappropriation	Appropriation
Game Fund——Federal	33,500	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
85,500		119,000

NEW SECTION, Sec. 613. FOR THE DEPARTMENT OF GAME

Repair or replace fish screens at lake outlets preventing out migration of planted trout.

	Reappropriation	Appropriation
Game Fund——State	8,300	
Game Fund——Federal	25,200	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
37,500		71,000

NEW SECTION, Sec. 614. FOR THE DEPARTMENT OF GAME

Complete acquisition of thirty-five acres in three parcels of cooperative project with Whatcom County, Tennant Lake Wildlife Recreation Area.

	Reappropriation	Appropriation
GF. ORA——State	153,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		153,000

NEW SECTION, Sec. 615. FOR THE DEPARTMENT OF GAME

Emergency repairs and replacements.

	Reappropriation	Appropriation
Game Fund		200,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	400,000	600,000

NEW SECTION, Sec. 616. FOR THE DEPARTMENT OF GAME

Facility maintenance and general repair.

	Reappropriation	Appropriation
Game Fund——State		250,000
Game Fund——Federal		35,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	1,000,000	1,285,000

NEW SECTION, Sec. 617. FOR THE DEPARTMENT OF GAME

Preplanning and design for capital projects.

	Reappropriation	Appropriation
Game Fund		32,000

Project Costs Through 6/30/83 20,000	Estimated Costs 7/1/85 and Thereafter 100,000	Estimated Total Costs 152,000
--------------------------------------------------	-----------------------------------------------------------	----------------------------------------

NEW SECTION, Sec. 618. FOR THE DEPARTMENT OF GAME  
Replace toilets at public access areas.

	Reappropriation	Appropriation 200,000
Game Fund		
Project Costs Through 6/30/83 200,000	Estimated Costs 7/1/85 and Thereafter 200,000	Estimated Total Costs 600,000

NEW SECTION, Sec. 619. FOR THE DEPARTMENT OF GAME  
Construct and maintain boundary and big game drift fences state-wide.

	Reappropriation	Appropriation 140,000
Game Fund—State		
Game Fund—Federal		261,200
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter 900,000	Estimated Total Costs 1,301,200

NEW SECTION, Sec. 620. FOR THE DEPARTMENT OF GAME  
Construct concrete broodstock ponds, spawning building, roads, and fencing—South Tacoma hatchery.

	Reappropriation	Appropriation 120,000
Game Fund		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter 180,000	Estimated Total Costs 300,000

NEW SECTION, Sec. 621. FOR THE DEPARTMENT OF GAME  
Relocate or rebuild Bogachiel residence to avoid flooding—Clallam County.

	Reappropriation	Appropriation 68,000
Game Fund		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 68,000

NEW SECTION, Sec. 622. FOR THE DEPARTMENT OF GAME  
Reconstruct water supply to Ringgold rearing ponds—Franklin County.

	Reappropriation	Appropriation 70,000
Game Fund—Federal		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter 100,000	Estimated Total Costs 170,000

NEW SECTION, Sec. 623. FOR THE DEPARTMENT OF GAME  
Acquire property to replace lost habitat—Snake River and tributaries, several sites.

	Reappropriation	Appropriation 11,223,000
Game Fund—Federal		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 11,223,000

NEW SECTION, Sec. 624. FOR THE DEPARTMENT OF GAME  
Acquire approximately 491 acres near the Yakima River. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

	Reappropriation	Appropriation 618,000
Game Fund		
Project Costs Through	Estimated Costs 7/1/85 and	Estimated Total Costs

	6/30/83	Thereafter		618,000
	<u>NEW SECTION, Sec. 625. FOR THE DEPARTMENT OF GAME</u>			
	Acquire approximately 2.8 acres along Skokomish River for a public fishing site. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.			
Game Fund			Reappropriation	Appropriation
				9,000
	Project	Estimated	Estimated	Estimated
	Costs	Costs	Total	Total
	Through	7/1/85 and	Costs	Costs
	6/30/83	Thereafter		9,000
	<u>NEW SECTION, Sec. 626. FOR THE DEPARTMENT OF GAME</u>			
	Acquire Hedt property, approximately 1,500 acres, Asotin County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.			
Game fund			Reappropriation	Appropriation
				300,000
	Project	Estimated	Estimated	Estimated
	Costs	Costs	Total	Total
	Through	7/1/85 and	Costs	Costs
	6/30/83	Thereafter		300,000
	<u>NEW SECTION, Sec. 627. FOR THE DEPARTMENT OF GAME</u>			
	Acquire approximately 578 acres along the Okanogan River. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.			
Game Fund			Reappropriation	Appropriation
				350,000
	Project	Estimated	Estimated	Estimated
	Costs	Costs	Total	Total
	Through	7/1/85 and	Costs	Costs
	6/30/83	Thereafter		350,000
	<u>NEW SECTION, Sec. 628. FOR THE DEPARTMENT OF GAME</u>			
	Acquire approximately 250 acres, Pipestone Canyon—Okanogan County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.			
Game Fund			Reappropriation	Appropriation
				132,000
	Project	Estimated	Estimated	Estimated
	Costs	Costs	Total	Total
	Through	7/1/85 and	Costs	Costs
	6/30/83	Thereafter		132,000
	<u>NEW SECTION, Sec. 629. FOR THE DEPARTMENT OF GAME</u>			
	Acquire approximately 2,000 acres for big game winter range—Yakima County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.			
Game Fund			Reappropriation	Appropriation
				132,000
	Project	Estimated	Estimated	Estimated
	Costs	Costs	Total	Total
	Through	7/1/85 and	Costs	Costs
	6/30/83	Thereafter		132,000
	<u>NEW SECTION, Sec. 630. FOR THE DEPARTMENT OF GAME</u>			
	Acquire approximately 41.4 acres for Band-tailed Pigeon site—Skagit County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.			
Game Fund			Reappropriation	Appropriation
				98,000
	Project	Estimated	Estimated	Estimated
	Costs	Costs	Total	Total
	Through	7/1/85 and	Costs	Costs
	6/30/83	Thereafter		98,000
	<u>NEW SECTION, Sec. 631. FOR THE DEPARTMENT OF GAME</u>			



Acquire approximately 500 acres of water fowl habitat—Snohomish and Island Counties. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

Game Fund		Reappropriation	Appropriation
	Project	Estimated	435,000
	Costs	Costs	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
			435,000

NEW SECTION, Sec. 632. FOR THE DEPARTMENT OF GAME

Acquire approximately 500 acres for public use—Chehalis Valley, Grays Harbor County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

Game Fund		Reappropriation	Appropriation
	Project	Estimated	500,000
	Costs	Costs	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
			500,000

NEW SECTION, Sec. 633. FOR THE DEPARTMENT OF GAME

Acquire access to stream bank—Mitigation for Wells dam, Okanogan County.

Game Fund—Game Special Wildlife Account		Reappropriation	Appropriation
	Project	Estimated	62,900
	Costs	Costs	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
			62,900

NEW SECTION, Sec. 634. FOR THE DEPARTMENT OF GAME

I-82 land acquisition in Yakima County—Phase II.

GF, ORA—State		Reappropriation	Appropriation
GF, ORA—Federal			106,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	138,000		350,000

NEW SECTION, Sec. 635. FOR THE DEPARTMENT OF GAME

Construct public access facilities—I-82, Yakima County.

GF, ORA—State		Reappropriation	Appropriation
GF, ORA—Federal			206,500
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			413,000

NEW SECTION, Sec. 636. FOR THE DEPARTMENT OF GAME

Acquire five acres on Mineral Lake for public access—Lewis County.

GF, ORA—State		Reappropriation	Appropriation
GF, ORA—Federal			32,500
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			65,000

NEW SECTION, Sec. 637. FOR THE DEPARTMENT OF GAME

Acquire public access—Cottage Lake, King County.

GF, ORA—State		Reappropriation	Appropriation
GF, ORA—Federal			34,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			68,000

NEW SECTION, Sec. 638. FOR THE DEPARTMENT OF GAME

Construct public access facilities—Kress Lake, Cowlitz County.

Reappropriation

GF, ORA—State		Appropriation	20,900
GF, ORA—Federal			20,900
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		41,800

NEW SECTION, Sec. 639. FOR THE DEPARTMENT OF GAME

Redevelop access areas—Aeneas Valley, Okanogan County.

Reappropriation

GF, ORA—State		Appropriation	53,100
GF, ORA—Federal			53,100
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		106,200

NEW SECTION, Sec. 640. FOR THE DEPARTMENT OF GAME

Redevelop access areas—Amber Lake, Spokane County.

Reappropriation

GF, ORA—State		Appropriation	42,000
GF, ORA—Federal			42,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		84,000

NEW SECTION, Sec. 641. FOR THE DEPARTMENT OF GAME

Acquire access to department property on Fern Lake—Kitsap County.

Reappropriation

GF, ORA—State		Appropriation	23,500
GF, ORA—Federal			23,500
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		47,000

NEW SECTION, Sec. 642. FOR THE DEPARTMENT OF GAME

Construct facilities on Big and Little Green Lakes—Okanogan County.

Reappropriation

GF, ORA—State		Appropriation	46,600
GF, ORA—Federal			46,600
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		93,200

NEW SECTION, Sec. 643. FOR THE DEPARTMENT OF GAME

Construct public access—Stillaguamish River, Snohomish County.

Reappropriation

GF, ORA—State		Appropriation	33,500
GF, ORA—Federal			33,500
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		67,000

NEW SECTION, Sec. 644. FOR THE DEPARTMENT OF GAME

Redevelop public access—Diamond Lake, Pend Oreille County.

Reappropriation

GF, ORA—State		Appropriation	26,700
GF, ORA—Federal			26,700
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		53,400

NEW SECTION, Sec. 645. FOR THE DEPARTMENT OF GAME

Construct public access—Munn Lake, Thurston County.

	Reappropriation	Appropriation
GF, ORA—State		24,000
GF, ORA—Federal		24,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		48,000

NEW SECTION, Sec. 646. FOR THE DEPARTMENT OF GAME

Redevelop public access—Jamison Lake, Douglas County.

	Reappropriation	Appropriation
GF, ORA—State		141,200
GF, ORA—Federal		141,200
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		282,400

PART VII

DEPARTMENT OF NATURAL RESOURCES

NEW SECTION, Sec. 701. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct and improve the Cedar Creek and Sherman Valley roads.

	Reappropriation	Appropriation
General Fund—ORV Account	80,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
395,000		475,000

NEW SECTION, Sec. 702. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct and improve campsites, roads, trails, and other recreation projects.

	Reappropriation	Appropriation
GF, ORV	374,700	
GF, ORA—State	234,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
5,261,700		5,871,000

NEW SECTION, Sec. 703. FOR THE DEPARTMENT OF NATURAL RESOURCES

The Department, together with the Office of Superintendent of Public Instruction, and in cooperation with any officials of political subdivisions of state government that are directly concerned, shall undertake a review (1) of the policies applicable to common schools, which may have constructed public facilities on any state trust lands; (2) procedures used to determine the fair market value of rental payments imposed or selling prices established; and (3) submit a report, along with any appropriate recommendations, to the Legislature by January, 1984.

Prepare sites for commercial lease—State-wide.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct	1,364,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,141,300		3,506,000

NEW SECTION, Sec. 704. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct and improve campsites, roads and trails—State-wide.

	Reappropriation	Appropriation
General Fund—ORV Account	101,300	
GF, ORA	143,900	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		245,200

NEW SECTION, Sec. 705. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct and improve roads and bridges.

GF. Res Mgmt Cost Acct	Reappropriation	Appropriation
Project	205,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
724,000	Thereafter	
		929,000
<u>NEW SECTION. Sec. 706. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Prepare lands for income-producing agricultural leases by developing irrigation facilities.		
GF. Res Mgmt Cost Acct	Reappropriation	Appropriation
Project	1,781,700	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
3,117,700	Thereafter	
		4,899,400
<u>NEW SECTION. Sec. 707. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Construct road access system to a large block of state-owned timber lands—Cavanaugh Block.		
GF. For Dev Acct	Reappropriation	Appropriation
Project	380,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
95,000	Thereafter	
		475,000
<u>NEW SECTION. Sec. 708. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Construct bridge and access road to state timber lands—McDonald Mainline.		
GF. Res Mgmt Cost Acct	Reappropriation	Appropriation
Project	40,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
100,000	Thereafter	
		140,000
<u>NEW SECTION. Sec. 709. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Increase seedling quality and production, Forest Nursery.		
GF. Res Mgmt Cost Acct	Reappropriation	Appropriation
Project	90,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
220,000	Thereafter	
		310,000
<u>NEW SECTION. Sec. 710. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Replace a forty-five year-old condemned bridge—Snohomish County.		
GF. Res Mgmt Cost Acct	Reappropriation	Appropriation
Project		561,100
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		561,100
<u>NEW SECTION. Sec. 711. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Acquire rights of way for land management.		
GF. For Dev Acct	Reappropriation	Appropriation
GF. Res Mgmt Cost Acct		532,000
Project		798,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
1,986,000	Thereafter	
	4,900,000	8,216,000
<u>NEW SECTION. Sec. 712. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Purchase land for resource management, Natural Resources Land Bank.		
GF. For Dev Acct	Reappropriation	Appropriation
Project		3,000,000
Costs	Estimated	Estimated
Through	Costs	Total
	7/1/85 and	Costs

6/30/83	Thereafter	
3,000,000	3,000,000	9,000,000
<u>NEW SECTION, Sec. 713. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Construct and improve roads and bridges—State-wide.		
	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		319,400
GF, For Dev Acct		9,400
General Fund—ORV Account		424,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		753,500

<u>NEW SECTION, Sec. 714. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Develop a rock pit to produce gravel for roadbeds, Tiger Mountain rock pit—King County.		
	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		114,700
GF, For Dev Acct		114,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		229,400

<u>NEW SECTION, Sec. 715. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Prepare site for commercial lease by developing water, sewer, streets, and drainage—Bucklin Hill—Silverdale—Kitsap County.		
	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		642,600
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
17,000		659,600

<u>NEW SECTION, Sec. 716. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Prepare land for exchange—Kennewick 16 U.L.I.D.—Benton County.		
	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		150,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	186,600	336,600

<u>NEW SECTION, Sec. 717. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Prepare land for planned unit development and develop a sewer system—Illahee U.L.I.D.—Kitsap County.		
	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		281,800
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
17,000		298,800

<u>NEW SECTION, Sec. 718. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Improve lands for commercial development, construction of frontage roads—Kennewick 16—Benton County.		
	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		233,200
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		233,200

<u>NEW SECTION, Sec. 719. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Maintenance of Milwaukee Railroad right of way, and a study of the potential use of this property.		
	Reappropriation	Appropriation
GF, ORA	250,000	
Project	Estimated	Estimated
Costs	Costs	Total

Through 6/30/83	7/1/85 and Thereafter	Costs
		250,000
<u>NEW SECTION, Sec. 720. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Fuel facility projects—State-wide.		
	Reappropriation	Appropriation
GF. For Dev Acct		49,400
GF. Res Mgmt Cost Acct		108,800
Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/83	7/1/85 and Thereafter	Costs
	68,800	227,000
<u>NEW SECTION, Sec. 721. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
To acquire Hawk Quarry—Mt. Si private lands acquisition, Phase II.		
	Reappropriation	Appropriation
GF. ORA—State		100,000
Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/83	7/1/85 and Thereafter	Costs
		100,000
<u>NEW SECTION, Sec. 722. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Provide irrigation for development of state land, install pumps and mainlines—State-wide.		
	Reappropriation	Appropriation
GF. Res Mgmt Cost Acct		1,891,900
Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/83	7/1/85 and Thereafter	Costs
	157,900	2,049,800
PART VIII EDUCATION		
<u>NEW SECTION, Sec. 801. FOR THE UNIVERSITY OF WASHINGTON</u>		
To renovate and remodel E and F wings, complete E court, and provide fire safety improvements for the health sciences building.		
	Reappropriation	Appropriation
GF. H Ed Constr Acct	200,000	
Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/83	7/1/85 and Thereafter	Costs
	3,742,000	3,942,000
<u>NEW SECTION, Sec. 802. FOR THE UNIVERSITY OF WASHINGTON</u>		
To construct and equip and/or purchase an existing facility for a consolidated hospital laundry facility.		
	Reappropriation	Appropriation
GF. H Ed Constr Acct	4,190,000	
Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/83	7/1/85 and Thereafter	Costs
	483,000	4,673,000
<u>NEW SECTION, Sec. 803. FOR THE UNIVERSITY OF WASHINGTON</u>		
To acquire land, construct and equip a hospital general services facility.		
	Reappropriation	Appropriation
GF. H Ed Constr Acct	278,000	
Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/83	7/1/85 and Thereafter	Costs
	1,340,000	1,618,000
<u>NEW SECTION, Sec. 804. FOR THE UNIVERSITY OF WASHINGTON</u>		
To construct and equip a building to house the institute of marine sciences.		
	Reappropriation	Appropriation
GF. H Ed Constr Acct	400,000	
Project Costs	Estimated Costs	Estimated Total Costs
Through	7/1/85 and	Costs

6/30/83	Thereafter	
4,477,000		4,877,000
<u>NEW SECTION, Sec. 805. FOR THE UNIVERSITY OF WASHINGTON</u>		
To provide for the expansion, renovation and equipping of the University hospital.		
	Reappropriation	Appropriation
GF, H Ed Constr Acct	38,025,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
7,200,000		45,225,000

<u>NEW SECTION, Sec. 806. FOR THE UNIVERSITY OF WASHINGTON</u>		
To bring BB tower Health Sciences, RR wing Health Sciences, Atmospheric Sciences, Con- don, Padelford and Harborview Halls into compliance with the Seattle high-rise fire safety code requirements.		
	Reappropriation	Appropriation
GF, UW Bldg Acct		1,350,000
GF, St H Ed Constr Acct		1,400,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		2,750,000

<u>NEW SECTION, Sec. 807. FOR THE UNIVERSITY OF WASHINGTON</u>		
To construct a hazardous waste handling facility on the J wing loading dock of the Health Sciences Building.		
	Reappropriation	Appropriation
GF, H Ed Constr Acct		484,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		484,000

<u>NEW SECTION, Sec. 808. FOR THE UNIVERSITY OF WASHINGTON</u>		
To extend the emergency electrical power system to the west campus.		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		355,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		355,000

<u>NEW SECTION, Sec. 809. FOR THE UNIVERSITY OF WASHINGTON</u>		
To provide general repairs and improvements for safety and ventilation.		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		500,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		500,000

<u>NEW SECTION, Sec. 810. FOR THE UNIVERSITY OF WASHINGTON</u>		
To provide for minor repairs and improvements and real estate contract payments.		
	Reappropriation	Appropriation
GF, UW Bldg Acct		553,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	12,637,000	13,190,000

<u>NEW SECTION, Sec. 811. FOR THE UNIVERSITY OF WASHINGTON</u>		
To replace instructional and support equipment and the purchase of high technology equipment.		
	Reappropriation	Appropriation
GF, UW Bldg Acct		3,660,000
GF, H Ed Constr Acct		309,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

6/30/83	Thereafter		3,969,000
<u>NEW SECTION.</u> Sec. 812. FOR THE UNIVERSITY OF WASHINGTON			
Various projects to improve energy conservation and reduce operating costs.			
	Reappropriation		Appropriation
GF, St H Ed Constr Acct			150,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	3,180,000		3,330,000
<u>NEW SECTION.</u> Sec. 813. FOR THE UNIVERSITY OF WASHINGTON			
To fund additional working drawings, renovation and construction for the ceramic engineering program at Roberts Hall.			
	Reappropriation		Appropriation
GF, H Ed Constr Acct			4,000,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	6,050,000		10,050,000
<u>NEW SECTION.</u> Sec. 814. FOR THE UNIVERSITY OF WASHINGTON			
To fund work on the power plant.			
	Reappropriation		Appropriation
GF, H Ed Constr Acct			190,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			190,000
<u>NEW SECTION.</u> Sec. 815. FOR WASHINGTON STATE UNIVERSITY			
To complete the construction of an animal holding facility for the College of Veterinary Medicine.			
	Reappropriation		Appropriation
GF, H Ed Constr Acct			681,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
1,337,000			2,018,000
<u>NEW SECTION.</u> Sec. 816. FOR WASHINGTON STATE UNIVERSITY			
To complete omnibus minor capital improvement projects.			
	Reappropriation		Appropriation
GF, WSU Bldg Acct			2,580,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
3,159,000			5,739,000
<u>NEW SECTION.</u> Sec. 817. FOR WASHINGTON STATE UNIVERSITY			
To complete Phase II of the Fulmer Hall renovation for the chemistry department.			
	Reappropriation		Appropriation
GF, H Ed Constr Acct			578,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
1,804,000			2,382,000
<u>NEW SECTION.</u> Sec. 818. FOR WASHINGTON STATE UNIVERSITY			
To complete the design, renovation, and equipping of College Hall for the Anthropology Department.			
	Reappropriation		Appropriation
GF, H Ed Constr Acct			2,362,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
1,567,000			3,929,000
<u>NEW SECTION.</u> Sec. 819. FOR WASHINGTON STATE UNIVERSITY			



To complete the planning, construction, and equipping of the joint treatment plant with the City of Pullman.

	Reappropriation	Appropriation
GF, WSU Bldg Acct	807,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
30,000		837,000

NEW SECTION, Sec. 820. FOR WASHINGTON STATE UNIVERSITY

To complete the design, renovation, and equipping of Science Hall.

	Reappropriation	Appropriation
GF, H Ed Constr Acct	3,899,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
338,000		4,237,000

NEW SECTION, Sec. 821. FOR WASHINGTON STATE UNIVERSITY

To design, construct, and equip a new facility for the department of electrical engineering and a portion of the department of mechanical engineering.

	Reappropriation	Appropriation
GF, WSU Bldg Acct		13,776,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
100,000		13,876,000

NEW SECTION, Sec. 822. FOR WASHINGTON STATE UNIVERSITY

To design a new facility for the department of chemistry, the energy institute, and the biological chemistry institute.

	Reappropriation	Appropriation
GF, WSU Bldg Acct		1,061,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
19,138,000		20,199,000

NEW SECTION, Sec. 823. FOR WASHINGTON STATE UNIVERSITY

To provide for minor alterations, renovations, and improvements.

	Reappropriation	Appropriation
GF, WSU Bldg Acct		3,308,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
13,346,000		16,654,000

NEW SECTION, Sec. 824. FOR WASHINGTON STATE UNIVERSITY

To renovate Fulmer Hall Phase III including expansion and replacement of major portions of the service and utility systems.

	Reappropriation	Appropriation
GF, WSU Bldg Acct		1,856,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
5,000	2,705,000	4,566,000

NEW SECTION, Sec. 825. FOR WASHINGTON STATE UNIVERSITY

To design the remodeling of McCoy Hall for the department of veterinary clinical medicine and surgery. The appropriation is contingent upon the receipt of \$1,448,000 in federal funds.

	Reappropriation	Appropriation
GF, WSU Bldg Acct		160,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		160,000

NEW SECTION, Sec. 826. FOR EASTERN WASHINGTON UNIVERSITY

The funds provided in sections 827 through 834 are subject to the following conditions and limitations:

(1) Not more than \$389,000 of the amount provided in section 828 may be used solely for payment on the lease of the Spokane facility and in that event only with the prior approval of the director, office of financial management.

(2) No other funds may be used for any other purpose or purposes at or on such Spokane facility without the prior and specific approval of the director, office of financial management.

NEW SECTION. Sec. 827. FOR EASTERN WASHINGTON UNIVERSITY

Minor capital improvements and energy conservation projects—Omnibus.

	Reappropriation	Appropriation
GF, EWU Cap Proj Acct	260,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,065,000		1,325,000

NEW SECTION. Sec. 828. FOR EASTERN WASHINGTON UNIVERSITY

Provide for minor capital improvements and a one-year lease for the Spokane Center: PROVIDED, That not more than \$389,000 may be expended in connection with the Spokane Center and said amount solely for payment of a one-year lease.

	Reappropriation	Appropriation
GF, EWU Cap Proj Acct		1,766,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	6,559,200	8,325,200

NEW SECTION. Sec. 829. FOR EASTERN WASHINGTON UNIVERSITY

Complete the design, renovation, and equipping of the manual arts building and Sutton Hall.

	Reappropriation	Appropriation
GF, H Ed Constr Acct	4,781,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
450,000		5,231,000

NEW SECTION. Sec. 830. FOR EASTERN WASHINGTON UNIVERSITY

Continue work on Martin Hall.

	Reappropriation	Appropriation
GF, EWU Cap Proj Acct	70,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		70,000

NEW SECTION. Sec. 831. FOR EASTERN WASHINGTON UNIVERSITY

Provide planning and design funds through working drawings for the remodeling of and addition to the science building.

	Reappropriation	Appropriation
GF, EWU Cap Proj Acct		400,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	8,134,200	8,534,200

NEW SECTION. Sec. 832. FOR EASTERN WASHINGTON UNIVERSITY

To replace instructional and support equipment.

	Reappropriation	Appropriation
GF, EWU Cap Proj Acct	125,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
275,000		400,000

NEW SECTION. Sec. 833. FOR EASTERN WASHINGTON UNIVERSITY

Handicap access.

	Reappropriation	Appropriation
GF, EWU Cap Proj Acct	50,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

	6/30/83	Thereafter		50,000
<u>NEW SECTION, Sec. 834. FOR EASTERN WASHINGTON UNIVERSITY</u>				
To complete the construction of HPERA fieldhouse.				
			Reappropriation	Appropriation
GF, St H Ed Constr Acct			25,000	
Project		Estimated		Estimated
Costs		Costs		Total
Through		7/1/85 and		Costs
6/30/83		Thereafter		
2,432,000				2,457,000
<u>NEW SECTION, Sec. 835. FOR CENTRAL WASHINGTON UNIVERSITY</u>				
Complete the modifications of existing campus buildings to comply with handicapped access standards.				
			Reappropriation	Appropriation
GF, St H Ed Constr Acct			165,450	
Project		Estimated		Estimated
Costs		Costs		Total
Through		7/1/85 and		Costs
6/30/83		Thereafter		
420,900				586,350
<u>NEW SECTION, Sec. 836. FOR CENTRAL WASHINGTON UNIVERSITY</u>				
Complete the removal of asbestos from places of public occupancy.				
			Reappropriation	Appropriation
GF, CWU Cap Proj Acct			86,000	
Project		Estimated		Estimated
Costs		Costs		Total
Through		7/1/85 and		Costs
6/30/83		Thereafter		
140,000				226,000
<u>NEW SECTION, Sec. 837. FOR CENTRAL WASHINGTON UNIVERSITY</u>				
Provide computer equipment and systems.				
			Reappropriation	Appropriation
GF, CWU Cap Proj Acct			27,900	
Project		Estimated		Estimated
Costs		Costs		Total
Through		7/1/85 and		Costs
6/30/83		Thereafter		
671,266				699,166
<u>NEW SECTION, Sec. 838. FOR CENTRAL WASHINGTON UNIVERSITY</u>				
Provide for utilities improvements.				
			Reappropriation	Appropriation
GF, CWU Cap Proj Acct			218,000	
Project		Estimated		Estimated
Costs		Costs		Total
Through		7/1/85 and		Costs
6/30/83		Thereafter		
672,426				890,426
<u>NEW SECTION, Sec. 839. FOR CENTRAL WASHINGTON UNIVERSITY</u>				
Provide for minor capital improvements and land acquisition to upgrade university buildings and facilities.				
			Reappropriation	Appropriation
GF, CWU Cap Proj Acct			235,000	
Project		Estimated		Estimated
Costs		Costs		Total
Through		7/1/85 and		Costs
6/30/83		Thereafter		
2,430,000				2,665,000
<u>NEW SECTION, Sec. 840. FOR CENTRAL WASHINGTON UNIVERSITY</u>				
Complete renovation and remodeling, including the addition of a multiform theatre and associated components and the remodeling of Wildcat Shop for computer services.				
			Reappropriation	Appropriation
GF, H Ed Constr Acct			50,000	
Project		Estimated		Estimated
Costs		Costs		Total
Through		7/1/85 and		Costs
6/30/83		Thereafter		
3,446,000				3,496,000
<u>NEW SECTION, Sec. 841. FOR CENTRAL WASHINGTON UNIVERSITY</u>				
Provide for minor capital improvements.				

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project	354,200	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
552,800	Thereafter	
		907,000
<u>NEW SECTION, Sec. 842. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Complete the improvement, extension, and modification of the underground utilities and services.		
GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project	240,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
30,000	Thereafter	
		270,000
<u>NEW SECTION, Sec. 843. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Complete the installation of energy economizers, monitoring equipment, fuel atomizers, and insulation.		
GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project	310,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
225,000	Thereafter	
		535,000
<u>NEW SECTION, Sec. 844. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Complete the expansion of the control system throughout the campus to achieve energy savings.		
GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project	866,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
234,000	Thereafter	
		1,100,000
<u>NEW SECTION, Sec. 845. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Improve campus utilities.		
GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project	233,900	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
17,475	Thereafter	
		233,900
<u>NEW SECTION, Sec. 846. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Omnibus projects to renovate and remodel campus facilities.		
GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project	317,125	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
17,475	Thereafter	
		334,600
<u>NEW SECTION, Sec. 847. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Restore and remodel Barge Hall for student services and administration.		
GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project	4,528	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
525,472	Thereafter	
	5,708,200	6,238,200
<u>NEW SECTION, Sec. 848. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Construct and equip computer applications laboratory—Hogue Technology Building and renovate Hebel Building.		
GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project		946,500
	Estimated	Estimated

Costs Through 6/30/83	Costs 7/1/85 and Thereafter	Total Costs
		946,500
<u>NEW SECTION, Sec. 849. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Upgrade the existing computer hardware.		
	Reappropriation	Appropriation
GF, CWU Cap Proj Acct		475,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		475,000
<u>NEW SECTION, Sec. 850. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Provide for additional staff space—Computer center.		
	Reappropriation	Appropriation
GF, CWU Cap Proj Acct		182,800
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		182,800
<u>NEW SECTION, Sec. 851. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Provide for the physical improvement of buildings and facilities—Omnibus.		
	Reappropriation	Appropriation
GF, CWU Cap Proj Acct		1,509,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	1,776,500	3,285,500
<u>NEW SECTION, Sec. 852. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Replace the roofing membrane on Bouillon Hall.		
	Reappropriation	Appropriation
GF, CWU Cap Proj Acct		515,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		515,000
<u>NEW SECTION, Sec. 853. FOR THE EVERGREEN STATE COLLEGE</u>		
For replacement of the academic computer.		
	Reappropriation	Appropriation
GF, Cap Purch & Dev Acct		405,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		405,000
<u>NEW SECTION, Sec. 854. FOR THE EVERGREEN STATE COLLEGE</u>		
Modifications to bring buildings into code compliance.		
	Reappropriation	Appropriation
GF, TESC Cap Proj Acct		152,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	35,700	187,700
<u>NEW SECTION, Sec. 855. FOR THE EVERGREEN STATE COLLEGE</u>		
Roof repairs to three buildings.		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		381,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	16,000	397,000
<u>NEW SECTION, Sec. 856. FOR THE EVERGREEN STATE COLLEGE</u>		
Minor capital projects—Omnibus.		

		Reappropriation	Appropriation
GF, TESC Cap Proj Acct			50,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	685,200		735,200
<u>NEW SECTION, Sec. 857. FOR THE EVERGREEN STATE COLLEGE</u>			
Instructional equipment replacement.			
		Reappropriation	Appropriation
GF, TESC Cap Proj Acct		120,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
205,000			325,000
<u>NEW SECTION, Sec. 858. FOR THE EVERGREEN STATE COLLEGE</u>			
Modifications and improvements to buildings to reduce energy consumption.			
		Reappropriation	Appropriation
GF, TESC Cap Proj Acct			117,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
205,000	330,300		447,300
<u>NEW SECTION, Sec. 859. FOR WESTERN WASHINGTON UNIVERSITY</u>			
Minor capital improvements—Omnibus.			
		Reappropriation	Appropriation
GF, WWU Cap Proj Acct		950,000	1,833,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
473,000	6,202,000		9,458,000
<u>NEW SECTION, Sec. 860. FOR WESTERN WASHINGTON UNIVERSITY</u>			
For the South Academic Building.			
		Reappropriation	Appropriation
GF, WWU Cap Proj Acct		150,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
5,981,000			6,131,000
<u>NEW SECTION, Sec. 861. FOR WESTERN WASHINGTON UNIVERSITY</u>			
Design an addition to and remodel the existing arts technology building.			
		Reappropriation	Appropriation
GF, WWU Cap Proj Acct			572,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	9,401,000		9,973,000
<u>NEW SECTION, Sec. 862. FOR WESTERN WASHINGTON UNIVERSITY</u>			
Preplanning funds for a new solid waste fuel power plant.			
		Reappropriation	Appropriation
GF, WWU Cap Proj Acct		120,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			120,000
<u>NEW SECTION, Sec. 863. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
SCCC Main parking facility.			
		Reappropriation	Appropriation
General Fund, State		332,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			332,000

NEW SECTION. Sec. 864. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriation for section 504 handicapped access building modifications.

	Reappropriation	Appropriation
GF. St H Ed Constr Acct	151,998	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
726,976		878,974

NEW SECTION. Sec. 865. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriation for emergency repairs at various campuses.

	Reappropriation	Appropriation
GF. St H Ed Constr Acct	563,100	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,690,000		2,253,100

NEW SECTION. Sec. 866. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriation for nondeferrable repair projects at various campuses.

	Reappropriation	Appropriation
GF. St H Ed Constr Acct	196,859	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,744,000		2,940,859

NEW SECTION. Sec. 867. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Nondeferrable projects

	Reappropriation	Appropriation
GF. St H Ed Constr Acct	107,521	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,866,479		2,974,000

NEW SECTION. Sec. 868. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriation to modify facilities for code compliance at various campuses.

	Reappropriation	Appropriation
GF. St H Ed Constr Acct	43,876	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
409,000		452,876

NEW SECTION. Sec. 869. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriations for minor repair and improvement projects at twenty campuses.

	Reappropriation	Appropriation
GF. St H Ed Constr Acct	62,982	
GF. Com Col Cap Constr Acct	630,408	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,854,426		2,547,816

NEW SECTION. Sec. 870. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriation for vocational facility at Lower Columbia college.

	Reappropriation	Appropriation
GF. St H Ed Constr Acct	235,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
258,000		493,000

NEW SECTION. Sec. 871. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriations for projects approved in prior biennia.

	Reappropriation	Appropriation
GF. Com Col Cap Impvmt Acct	38,144	
GF. Com Col Cap Proj Acct	81,566	
GF. Com Col Cap Constr Acct	185,984	

Project Costs Through 6/30/83 6,490,969	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  6,796,663
<u>NEW SECTION, Sec. 872. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u> Reappropriation for two minor improvement projects at two campuses.		
	Reappropriation 107,405	Appropriation
GF, Com Col Cap Impvmt Acct		
Project Costs Through 6/30/83 59,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  166,405
<u>NEW SECTION, Sec. 873. FOR THE STATE BOARD FOR COMMUNITY COLLEGES</u> Code requirement repairs at Bellevue and Centralia Community College.		
	Reappropriation	Appropriation
GF, H Ed Constr Acct		57,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  57,000
<u>NEW SECTION, Sec. 874. FOR THE STATE BOARD FOR COMMUNITY COLLEGES</u> Heat system repairs at Clark College.		
	Reappropriation	Appropriation
GF, H Ed Constr Acct		396,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  396,000
<u>NEW SECTION, Sec. 875. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u> Reappropriation for minor repair and improvement projects at four campuses.		
	Reappropriation 21,439	Appropriation
GF, Com Col Cap Constr Acct		
Project Costs Through 6/30/83 41,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  62,439
<u>NEW SECTION, Sec. 876. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u> Reappropriation for remodeling and minor improvement funds allocated to the districts.		
	Reappropriation 689,002	Appropriation
GF, Com Col Cap Constr Acct		
Project Costs Through 6/30/83 1,500,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  2,189,002
<u>NEW SECTION, Sec. 877. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u> Reappropriation of emergency funds allocated by the state board for community college education.		
	Reappropriation 79,627	Appropriation
GF, Com Col Cap Constr Acct		
Project Costs Through 6/30/83 400,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  479,627
<u>NEW SECTION, Sec. 878. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u> Reappropriation for minor improvements at various campuses.		
	Reappropriation 443,141	Appropriation
GF, Com Col Cap Constr Acct		
Project Costs Through 6/30/83 836,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  1,279,141
<u>NEW SECTION, Sec. 879. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		



Reappropriation for six minor improvement projects at five campuses.

	Reappropriation	Appropriation
GF, Com Col Cap Constr Acct	141,503	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
512,497		654,000

**NEW SECTION, Sec. 880. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**

To provide for minor capital improvements to correct facility deficiencies and improve utilization, to be allocated to each district by the state board for community college education.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		2,900,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		2,900,000

**NEW SECTION, Sec. 881. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**

To provide for unforeseen emergency capital repairs, to be administered by the state board for community college education.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		500,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		500,000

**NEW SECTION, Sec. 882. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**

To provide for repair or replacement of roofs at Lower Columbia, Olympic, Skagit Valley, Everett, Seattle Central, Spokane, Clark, Edmonds, Grays Harbor, and Wenatchee Valley Colleges.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		2,050,600
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		2,050,600

**NEW SECTION, Sec. 883. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**

To provide funding for repair or replacement of electrical system components at Everett, Lower Columbia, Skagit Valley, Wenatchee, and the Whidbey branch of Skagit Valley Colleges.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		707,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		707,500

**NEW SECTION, Sec. 884. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**

To provide for repair of buildings, mechanical systems, and fixed equipment at Fort Steilacoom, Columbia Basin, Olympic, Everett, and the Whidbey branch of Skagit Valley Colleges.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		734,600
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		734,600

**NEW SECTION, Sec. 885. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**

For repair or replacement of elements for heating/ventilating/air-conditioning systems at Fort Steilacoom, Lower Columbia, South Seattle, Wenatchee, and Skagit Valley Colleges.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		1,091,900
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

6/30/83

Thereafter

1,091,900

NEW SECTION. Sec. 886. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

To fund payments toward the purchase from the department of natural resources the land upon which Grays Harbor, Highline, and Green River Colleges are located.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		25,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		25,000

NEW SECTION. Sec. 887. FOR THE STATE BOARD OF EDUCATION—SUPERINTENDENT OF PUBLIC INSTRUCTION

To provide for planning, construction, modernization, and demolition of public school facilities: PROVIDED, That a maximum of \$115,400,000 may be disbursed during the 1983-85 biennium: PROVIDED FURTHER, That a maximum of \$910,000 may be expended by the Superintendent of Public Instruction for costs of administering this program.

	Reappropriation	Appropriation
Common school construction fund	50,000,000	123,900,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
185,492,000		359,392,000

NEW SECTION. Sec. 888. FOR THE COMMISSION FOR VOCATIONAL EDUCATION

To plan, design, and construct a fire service training center, to include a marine fire training structure.

	Reappropriation	Appropriation
GF, Fire Trng Constr Acct	5,600,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,353,000		6,953,000

## PART IX

## MISCELLANEOUS

NEW SECTION. Sec. 901. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT OR SUCCESSOR AGENCY—PUBLIC FACILITIES CONSTRUCTION LOAN REVOLVING FUND

For public works financing through the community economic revitalization board.

Ten percent of the appropriation in this section shall be used to fund projects certified by the planning and community affairs agency or successor agency in the community block grant program and approved by the community economic revitalization board.

If Substitute House Bill No. 245 is not enacted before July 1, 1983, the appropriation in this section shall lapse.

	Reappropriation	Appropriation
GF, St Bldg Constr Acct		20,000,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		20,000,000

NEW SECTION. Sec. 902. STATE TREASURER—REAPPROPRIATION OF BOND PROCEEDS

To repay advances made in anticipation of receipt of bond proceeds.

GF, H Ed Constr Acct	9,104,000
GF, St H Ed Constr Acct	1,431,000
GF, State Bldg Constr Acct	1,689,000
GF, ORA	5,076,000

NEW SECTION. Sec. 903. FOR THE ARTS COMMISSION—ART WORK ALLOWANCE

One-half of one percent of moneys appropriated in this act shall be spent as provided in RCW 28A.58.055, 28B.10\_\_\_\_ (section 9, chapter \_\_\_\_\_, Laws of 1983 (Engrossed House Bill No. 867)), or 43.17.200.

NEW SECTION. Sec. 904. The director of the Department of General Administration, upon completion of energy audits, technical assistance studies and/or energy retrofit projects of state facilities, shall submit to the Office of Financial Management executive summaries which shall include, but not be limited to, the following information by project:

Estimated costs, estimated pay-back period, and a five-year projection of the estimated operating expenditure savings based on constant rates, to be realized through the completion of said projects.

The Department shall update the summaries on an annual basis. The Director of the Office of Financial Management shall submit status reports to the Legislature on or before January 1, 1984, and January 1, 1985.

NEW SECTION. Sec. 905. To effectively carry out the provisions of this act, the governor may assign responsibility for planning, engineering, construction, and other related activities to any appropriate agency.

NEW SECTION. Sec. 906. Reappropriations shall be limited to the unexpended balances remaining June 30, 1983, in the current appropriation for each project.

NEW SECTION. Sec. 907. If any federal moneys appropriated by this act for capital projects are not received by the state, the department or agency to which the moneys were appropriated may replace the federal moneys with any moneys available from private or local sources. No replacement may occur under this section without the prior approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

NEW SECTION. Sec. 908. Notwithstanding any other provisions of law, for the 1983-85 biennium, state treasurer transfers of reimbursement to the general fund from the community college capital projects account for debt service payments made under the provisions of Title 28B RCW shall occur only after such debt service payment has been made and only to the extent that funds are actually available in the account. Any unpaid reimbursements shall be a continuing obligation against the community college capital projects account until paid. The state board for community college education need not accumulate any specific balance in the community college capital projects account in anticipation of transfers to reimburse the general fund.

NEW SECTION. Sec. 909. Any capital improvements or capital project involving construction or major expansion of a state office facility, including district headquarters, detachment offices, and off-campus faculty offices, shall be reviewed by the department of general administration for possible consolidation and compliance with state office standards prior to allotment of funds. The intent of the requirement imposed by this section is to eliminate duplication and reduce total office space requirements where feasible, while ensuring proper service to the public.

NEW SECTION. Sec. 910. The governor, through the director of financial management, may authorize a transfer of appropriation authority provided for a capital project which is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer shall be used to expand the capacity of any facility beyond that intended by the legislature in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects which are funded from the same fund or account.

A report of any transfer effected under this section shall be filed with the legislative auditor by the director of financial management within thirty days of the date the transfer is effected. The legislative auditor shall review and compile these filings and periodically report thereon to the legislative budget committee and the appropriate standing committees of the senate and house of representatives.

NEW SECTION. Sec. 911. To effectively, efficiently, and economically carry out the provisions of this act, each agency shall establish a start date and completion date on each project which has an estimated total cost which exceeds two hundred thousand dollars and for which a start or completion date is not specified in this act. This information shall be furnished to the office of financial management and the legislative auditor no later than the date the allotment request is filed with the office of financial management. If a project cannot start on or before the indicated start date or be completed by the indicated completion date, the director of the agency shall document and file with the office of financial management and the legislative budget committee the reason for the delay and indicate the new start and/or completion date(s). The legislative auditor shall review these filings and report thereon to the legislative budget committee and the appropriate standing committees of the senate and house of representatives.

As a result of these filings, agency directors may be required to appear before the legislative budget committee for further explanation of a project delay.

NEW SECTION. Sec. 912. 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. 913. 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, 1983.

Signed by: Senators McDermott, Thompson and Lee; Representatives Grimm, Braddock and Fiske.

## MOTION

On motion of Senator Bottiger, the Report of the Conference Committee on Engrossed Substitute House Bill No. 55 was adopted and the powers of Free Conference were granted.

## MESSAGE FROM THE HOUSE

May 22, 1983

Mr. President:

The House receded from its amendments to SUBSTITUTE SENATE BILL NO. 3248 and passed the bill without said amendments, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 3248.

## SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 3244.

SUBSTITUTE SENATE BILL NO. 4007.

SUBSTITUTE SENATE BILL NO. 4059.

## MESSAGE FROM THE HOUSE

May 22, 1983

Mr. President:

The House adopted the revised Report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3434 and granted the powers of Free Conference, and the revised Report of the Conference Committee is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## REPORT OF CONFERENCE COMMITTEE

May 22, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred, ENGROSSED SUBSTITUTE SENATE BILL NO. 3434, modifying definition of "member" for gambling enforcement purposes, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill as follows:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 1, chapter 139, Laws of 1981 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 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 must have not less than fifteen bona fide active members each with the right to an equal vote in the election of the officers, and 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. 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.

Notwithstanding any other provision of this subsection (14), where any contest of chance is held by or on behalf of in-state retail grocery outlets in connection with business promotions authorized under subsections (d) and (e) hereof, no such in-state retail grocery outlet may conduct more than one such contest of chance during each calendar year and the period of the contest of chance and its promotion shall not extend for more than seven consecutive days: PROVIDED, That if the sponsoring organization has more than one outlet in the state such contests of chance 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 contest of chance in connection with the initial opening of any such outlet: PROVIDED FURTHER, That such contests of chance may be conducted on an ongoing basis if the prizes awarded or accumulated to award do not exceed thirty dollars a day or five thousand dollars a year in the aggregate for all outlets of the sponsoring organizations.

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. 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; and

(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.

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; 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 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 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, taxes, license fees, and for the purchase cost of prizes given as winnings do not exceed ~~((five))~~ 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 event shall not be held on the premises of a licensee, as defined in RCW 66.20.160, more than four calendar days per calendar month; and (e) 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.

Sec. 2. Section 2, chapter 139, Laws of 1981 and RCW 9.46.030 are each amended to read as follows:

(1) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct bingo games, raffles, amusement games, and fund raising events, and to utilize punch boards and pull-tabs and to allow their premises and facilities to be used by only members ~~((and)), their guests, and members of a chapter or unit organized under the same state, regional, or national charter or constitution,~~ to play social card games authorized by the commission, when licensed, conducted or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(2) Bona fide charitable or bona fide nonprofit organizations organized primarily for purposes other than the conduct of raffles, are hereby authorized to conduct raffles without obtaining a license to do so from the commission when such raffles are held in accordance with all other requirements of chapter 9.46 RCW, other applicable laws, and rules of the commission; when gross revenues from all such raffles held by the organization during the calendar year do not exceed ~~((five))~~ ten thousand dollars; and when tickets to such raffles are sold only to, and winners are determined only from among, the regular members of the organization conducting the raffle: PROVIDED, That the term members for this purpose shall mean only those persons who have become members prior to the commencement of the raffle and whose qualification for membership was not dependent upon, or in any way related to, the purchase of a ticket, or tickets, for such raffles.

(3) Bona fide charitable or bona fide nonprofit organizations organized primarily for purposes other than the conduct of such activities are hereby authorized to conduct bingo, raffles, and amusement games, without obtaining a license to do so from the commission but only when:

(a) Such activities are held in accordance with all other requirements of chapter 9.46 RCW as now or hereafter amended, other applicable laws, and rules of the commission; and

(b) Said activities are, alone or in any combination, conducted no more than twice each calendar year and over a period of no more than twelve consecutive days each time, notwithstanding the limitations of RCW 9.46.020(2) as now or hereafter amended: PROVIDED, That a raffle conducted under this subsection may be conducted for a period longer than twelve days; and

(c) Only bona fide members of that organization, who are not paid for such services, participate in the management or operation of the activities; and

(d) Gross revenues to the organization from all the activities together ~~((does))~~ do not exceed ~~((five))~~ ten thousand dollars during any calendar year; and

(e) All revenue therefrom, after deducting the cost of prizes and other expenses of the activity, is devoted solely to the purposes for which the organization qualifies as a bona fide charitable or nonprofit organization; and

(f) The organization gives notice at least five days in advance of the conduct of any of the activities to the local police agency of the jurisdiction within which the activities are to be conducted of the organization's intent to conduct the activities, the location of the activities, and the date or dates they will be conducted; and

(g) The organization conducting the activities maintains records for a period of one year from the date of the event which accurately show at a minimum the gross revenue from each activity, details of the expenses of conducting the activities, and details of the uses to which the gross revenue therefrom is put.

(4) The legislature hereby authorizes any person, association or organization operating an established business primarily engaged in the selling of food or drink for consumption on the premises to conduct social card games and to utilize punch boards and pull-tabs as a commercial stimulant to such business when licensed and utilized or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(5) The legislature hereby authorizes any person to conduct or operate amusement games when licensed and operated pursuant to the provisions of this chapter and rules and regulations adopted by the commission at such locations as the commission may authorize.

(6) The legislature hereby authorizes any person, association, or organization to conduct sports pools without a license to do so from the commission but only when the outcome of which is dependent upon the score, or scores, of a certain athletic contest and which is conducted only in the following manner:

(a) A board or piece of paper is divided into one hundred equal squares, each of which constitutes a chance to win in the sports pool and each of which is offered directly to prospective contestants at one dollar or less; and

(b) The purchaser of each chance or square signs his or her name on the face of each square or chance he or she purchases; and

(c) At some time not later than prior to the start of the subject athletic contest the pool is closed and no further chances in the pool are sold; and

(d) After the pool is closed a prospective score is assigned by random drawing to each square; and

(e) All money paid by entrants to enter the pool less taxes is paid out as the prize or prizes to those persons holding squares assigned the winning score or scores from the subject athletic contest; and

(f) The sports pool board is available for inspection by any person purchasing a chance thereon, the commission, or by any law enforcement agency upon demand at all times prior to the payment of the prize; and

(g) The person or organization conducting the pool is conducting no other sports pool on the same athletic event; and

(h) The sports pool conforms to any rules and regulations of the commission applicable thereto.

(7) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct, without the necessity of obtaining a permit or license to do so from the commission, golfing sweepstakes permitting wagers of money, and the same shall not constitute such gambling or lottery as otherwise in this chapter prohibited, or be subject to civil or criminal penalties thereunder, but this only when the outcome of such golfing sweepstakes is dependent upon the score, or scores, or the playing ability, or abilities, of a golfing contest between individual players or teams of such players, conducted in the following manner:

(a) Wagers are placed by buying tickets on any players in a golfing contest to "win", "place" or "show" and those holding tickets on the three winners may receive a payoff similar to the system of betting identified as parimutuel, such moneys placed as wagers to be used primarily as winners proceeds, except moneys used to defray the expenses of such golfing sweepstakes or otherwise used to carry out the purposes of such organization; or

(b) Participants in any golfing contest(s) pay a like sum of money into a common fund on the basis of attaining a stated number of points ascertainable from the score of such participants, and those participants attaining such stated number of points share equally in the moneys in the common fund, without any percentage of such moneys going to the sponsoring organization; and

(c) Participation is limited to members of the sponsoring organization and their bona fide guests.

(8) The legislature hereby authorizes bowling establishments to conduct, without the necessity of obtaining a permit or license to do so, as a commercial stimulant, a bowling activity which permits bowlers to purchase tickets from the establishment for a predetermined and posted amount of money which tickets are then selected by the luck of the draw and the holder of the matching ticket so drawn has an opportunity to bowl a strike and if successful receives a predetermined and posted monetary prize: PROVIDED, That all sums collected by the establishment from the sale of tickets shall be returned to purchasers of tickets and no part of the proceeds shall inure to any person other than the participants winning in the game or a recognized charity. The tickets shall be sold, and accounted for, separately from all other sales of the establishment. The price of any single ticket shall not exceed one dollar. Accounting

records shall be available for inspection during business hours by any person purchasing a chance thereon, by the commission or its representatives, or by any law enforcement agency.

(9) (a) The legislature hereby authorizes any bona fide charitable or nonprofit organization which is licensed pursuant to RCW 66.24.400, and its officers and employees, to allow the use of the premises, furnishings, and other facilities not gambling devices of such organization by members of the organization, and members of a chapter or unit organized under the same state, regional, or national charter or constitution, who engage as players in the following types of gambling activities only:

(i) Social card games as defined in RCW 9.46.020(20)(a), (b), (c), and (d); and  
 (ii) Social dice games, which shall be limited to contests of chance, the outcome of which are determined by one or more rolls of dice.

(b) Bona fide charitable or nonprofit organizations shall not be required to be licensed by the commission in order to allow use of their premises in accordance with this subsection; however, the following conditions must be met:

(i) No organization, corporation, or person shall collect or obtain or charge any percentage of or shall collect or obtain any portion of the money or thing of value wagered or won by any of the players: PROVIDED, That a player may collect his or her winnings; and

(ii) No organization, corporation, or person shall collect or obtain any money or thing of value from, or charge or impose any fee upon, any person which either enables him or her to play or results in or from his or her playing: PROVIDED, That this subparagraph (ii) shall not preclude collection of a membership fee which is unrelated to participation in gambling activities authorized under this subsection.

The penalties provided for professional gambling in this chapter shall not apply to the activities authorized by this section when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations of the commission.

Sec. 3. 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 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 does not discriminate in full membership on the basis of sex and race, and 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)) ten 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," insert "modifying the definition of membership, the eligibility for exemption from the gambling tax, the maximum allowable gross receipts for nonprofit organizations engaged in gambling activities, and retail outlets' contests of chance;".

Signed by: Senators Vognild, Sellar and Williams; Representatives Appelwick, Barrett and Niemi.

## MOTION

On motion of Senator Vognild, the revised Report of the Conference Committee on Engrossed Substitute Senate Bill No. 3434 was adopted and the powers of Free Conference were granted.

## MESSAGE FROM THE HOUSE

May 22, 1983

Mr. President:

The House had adopted the Report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 55 and has granted said committee the powers of Free Conference, and the Report of the Free Conference Committee is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## REPORT OF FREE CONFERENCE COMMITTEE

May 22, 1983

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred, ENGROSSED SUBSTITUTE HOUSE BILL NO. 55, adopting a capital budget, have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill do pass.

( See Report of Conference Committee on Engrossed Substitute House Bill No. 55, read in earlier today)

Signed by: Senators McDermott, Lee and Thompson; Representatives Grimm, Braddock and Fiske.

## MOTIONS

On motion of Senator Bluechel, Senators Quigg and Pullen were excused.

On motion of Senator Vognild, Senator Rasmussen was excused.

Senator McDermott moved that the Report of the Free Conference Committee on Engrossed Substitute House Bill No. 55 be adopted.

Debate ensued.

The President declared the question before the Senate to be the motion by Senator McDermott to adopt the Report of the Free Conference Committee.

The motion by Senator McDermott carried and the Report of the Free Conference Committee on Engrossed Substitute House Bill No. 55 was adopted.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 55, as amended by the Free Conference Committee.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute House Bill No. 55, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 29; nays, 16; excused, 4.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Conner, Deccio, Fleming, Fuller, Goltz, Granlund, Hansen, Hemstad, Hughes, Hurley, Kiskaddon, Lee, McDermott, McManus, Owen, Patterson, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Williams, Woody, Zimmerman - 29.

Voting nay: Senators Barr, Benitz, Clarke, Craswell, Gaspard, Guess, Haley, Hayner, Jones, McCaslin, Metcalf, Moore, Newhouse, Sellar, Warnke, Wojahn - 16.

Excused: Senators Pullen, Quigg, Rasmussen, von Reichbauer - 4.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 55, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:39 a.m., on motion of Senator Shinpoch, the Senate adjourned until 10:00 a.m., Monday, May 23, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

**TWENTY-NINTH DAY**

---

MORNING SESSION

---

Senate Chamber, Olympia, Monday, May 23, 1983

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Barr, Bauer, Bottiger, Craswell, Deccio, Fuller, Gaspard, Haley, Hughes, Lee, McDermott, Patterson, Pullen, Quigg, Rasmussen, Thompson, von Reichbauer and Williams. On motion of Senator Vognild, Senators McDermott and Rasmussen were excused. On motion of Senator Zimmerman, Senators Pullen and von Reichbauer were excused. On motion of Senator McCaslin, Senator Craswell was excused.

The Sergeant at Arms Color Guard, consisting of Pages Barbara Hettinger and Mike Rogers, presented the Colors. Reverend James H. Blundell, rector of St. John's Episcopal Church of Olympia, offered the prayer.

MOTION

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

REPORTS OF STANDING COMMITTEES

GUBERNATORIAL APPOINTMENTS

May 22, 1983

GA 28 EDWARD E. CARLSON, to the position of Member of the Board of Regents for the University of Washington, appointed by the Governor on October 1, 1982, for the term ending September 30, 1988, succeeding Dr. Taul Watanabe. Reported by Committee on Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Gaspard, Chairman; Bauer, Vice Chairman; Rinehart, Vice Chairman; Bender, Benitz, Craswell, Fleming, Goltz, Guess, Hemstad, Hughes, Kiskaddon, Lee, McDermott, Patterson, Warnke.

Passed to Committee on Rules.

May 22, 1983

GA 61 ANNE M. WADE, to the position of Member of the Board of Trustees for Tacoma Community College, District No. 22, appointed by the Governor on November 1, 1982, for the term ending September 30, 1987, succeeding Barbara A. Wesley. Reported by Committee on Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Gaspard, Chairman; Bauer, Vice Chairman; Rinehart, Vice Chairman; Bender, Benitz, Craswell, Fleming, Goltz, Guess, Hemstad, Hughes, Kiskaddon, Lee, McDermott, Patterson.

Passed to Committee on Rules.

May 22, 1983

GA 77 SUSAN E. GOULD, to the position of Member of the Board of Trustees for Central Washington University, appointed by the Governor on January 6, 1983, for the term ending September 30, 1988, succeeding Thomas Galbraith. Reported by Committee on Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Gaspard, Chairman; Bauer, Vice Chairman; Rinehart, Vice Chairman; Bender, Benitz, Craswell, Fleming, Goltz, Guess, Hemstad, Hughes, Kiskaddon, Lee, McDermott, Patterson.

Passed to Committee on Rules.

May 22, 1983

GA 79 MARDITH A. KORTEN, to the position of Member of the Board of Trustees for Lower Columbia Community College, District No. 13, appointed by the Governor on January 11, 1983, for the term ending September 30, 1987, succeeding Rosemary Smith. Reported by Committee on Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Gaspard, Chairman; Bauer, Vice Chairman; Rinehart, Vice Chairman; Bender, Benitz, Craswell, Fleming, Goltz, Guess, Hemstad, Hughes, Kiskaddon, Lee, McDermott, Patterson.

Passed to Committee on Rules.

May 22, 1983

GA 88 MARLISS M. SWAYZE, to the position of Member of the Board of Trustees for Tacoma Community College District No. 22, appointed by the Governor on January 17, 1983, for the term ending September 30, 1985, succeeding Lawrence J. Faulk. Reported by Committee on Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Gaspard, Chairman; Bauer, Vice Chairman; Rinehart, Vice Chairman; Bender, Benitz, Craswell, Fleming, Goltz, Guess, Hemstad, Hughes, Kiskaddon, Lee, McDermott, Patterson.

Passed to Committee on Rules.

MOTIONS

On motion of Senator Shipoch, the rules were suspended. Gubernatorial Appointment Nos. 28, 61, 77, 79 and 88 were advanced to second reading and placed on the second reading calendar.

On motion Senator Shipoch, the Senate advanced to the sixth order of business.

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

On motion of Senator Rinehart, the appointment of Edward E. Carlson as a member of the Board of Regents for the University of Washington was confirmed.

APPOINTMENT OF EDWARD E. CARLSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 30; absent, 14; excused, 5.

Voting yea: Senators Bender, Benitz, Bluechel, Clarke, Conner, Fleming, Goltz, Granlund, Guess, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, McCaslin, McManus, Moore, Newhouse, Owen, Peterson, Rinehart, Sellar, Shipoch, Talmadge, Vognild, Warnke, Wojahn, Woody, Zimmerman - 30.

Absent: Senators Barr, Bauer, Bottiger, Deccio, Fuller, Gaspard, Haley, Hughes, Lee, Metcalf, Patterson, Quigg, Thompson, Williams - 14.

Excused: Senators Craswell, McDermott, Pullen, Rasmussen, von Reichbauer - 5.

MOTIONS

On motion of Senator Zimmerman, Senators Bluechel, Deccio, Fuller, Haley, Lee, Quigg and Patterson were excused.

On motion of Senator Vognild, Senators Hughes and Thompson were excused.

MOTION

On motion of Senator Rinehart, the appointment of Anne M. Wade as a member of the Board of Trustees for Tacoma Community College, District No. 22 was confirmed.

APPOINTMENT OF ANNE M. WADE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 36; absent, 2; excused, 11.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Clarke, Conner, Craswell, Fleming, Gaspard, Goltz, Granlund, Guess, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon,

McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Peterson, Rinehart, Sellar, Shinpoch, Talmadge, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 36.

Absent: Senators Bauer, Bottiger - 2.

Excused: Senators Deccio, Fuller, Haley, Hughes, Lee, Patterson, Pullen, Quigg, Rasmussen, Thompson, von Reichbauer - 11.

#### MOTION

On motion of Senator Gaspard, the appointment of Susan E. Gould as a member of the Board of Trustees for Central Washington University was confirmed.

#### APPOINTMENT OF SUSAN E. GOULD

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 37; nays, 1; absent, 2; excused, 9.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Clarke, Conner, Craswell, Deccio, Fleming, Gaspard, Goltz, Granlund, Guess, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, McCaslin, McDermott, McManus, Metcalf, Newhouse, Owen, Peterson, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 37.

Voting nay: Senator Moore - 1.

Absent: Senators Bauer, Bottiger - 2.

Excused: Senators Fuller, Haley, Hughes, Lee, Patterson, Pullen, Quigg, Thompson, von Reichbauer - 9.

#### MOTION

At 10:22 a.m., on motion of Senator Shinpoch, the Senate recessed until 2:00 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

#### MOTION

At 2:02 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 2:30 p.m.

#### MOTION

On motion of Senator Vognild, Senator Bauer was excused.

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

On motion of Senator Gaspard, the appointment of Mardith A. Korten as a member of the Board of Trustees for Lower Columbia Community College, District No. 13 was confirmed.

#### APPOINTMENT OF MARDITH A. KORTEN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 39; absent, 8; excused, 2.

Voting yea: Senators Bender, Bluechel, Bottiger, Clarke, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Jones, Kiskaddon, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Patterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody - 39.

Absent: Senators Barr, Benitz, Craswell, Deccio, Hurley, Owen, Peterson, Zimmerman - 8.

Excused: Senators Bauer, Lee - 2.

#### MOTION

On motion of Senator Bluechel, Senator Deccio was excused.

#### MOTION

On motion of Senator Granlund, the appointment of Marliis M. Swayze as a member of the Board of Trustees for Tacoma Community College, District No. 22 was confirmed.



## APPOINTMENT OF MARLISS M. SWAYZE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 44; absent, 2; excused, 3.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody - 44.

Absent: Senators Guigg, Zimmerman - 2.

Excused: Senators Bauer, Decchio, Lee - 3.

There being no objection, the President reverted the Senate to the fourth order of business.

## MESSAGE FROM THE HOUSE

May 20, 1983

Mr. President:

The House has adopted the Report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 240 and has granted said committee the powers of Free Conference, and the Report of the Conference Committee is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## REPORT OF FREE CONFERENCE COMMITTEE

May 20, 1983

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred, ENGROSSED SUBSTITUTE HOUSE BILL NO. 240, revising procedures for mail voting, have had the same under consideration, and we recommend that the bill be amended as follow:

(See Report of Conference Committee on Engrossed Substitute House Bill No. 240 read in on May 20, 1983)

Signed by: Senators Talmadge, Pullen and Rinehart; Representatives Pruitt, Tanner and Barnes.

## MOTION

Senator Talmadge moved that the Senate do adopt the Report of the Free Conference Committee on Engrossed Substitute House Bill No. 240.

Debate ensued.

## POINT OF INQUIRY

Senator Rasmussen: "Senator Talmadge, on page two of the Free Conference Report, it says 'the county auditor may honor the request or may determine that the election is not to be conducted by mail ballot. The decision of the county auditor in this regard is final.' My understanding is that you do not have that system in King County. You have a superintendent of elections that makes those determinations. I know in our county the auditor is going to be under the executive and the executive makes the determination. This is kind of giving a little bit more power and I imagine in the majority of the counties, the county auditor is still handling it. I don't think they are doing that in King County."

Senator Talmadge: "Senator, in King County, the elections officer there is considered to be the functional equivalent of an elected auditor. The only difference is the title and the fact that the elections officer there is not, in fact, elected. Nevertheless, they are to make that same kind of decision. They are subject to appointment under the home rule charter in King County as I suspect they will be in Pierce County and subject to the approval of the county council in that county."

The President declared the question before the Senate to be adoption of the Free Conference Report on Engrossed Substitute House Bill No. 240.

The motion by Senator Talmadge carried and the Report of the Free Conference Committee was adopted.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 240, as amended by the Free Conference Committee.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute House Bill No. 240, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 25; nays, 23; excused, 1.

Voting yea: Senators Bender, Bluechel, Bottiger, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Hansen, Hemstad, Hughes, Kiskaddon, McDermott, McManus, Owen, Peterson, Quigg, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Wojahn, Zimmerman - 25.

Voting nay: Senators Barr, Benitz, Clarke, Craswell, Deccio, Guess, Haley, Hayner, Hurley, Jones, Lee, McCaslin, Metcalf, Moore, Newhouse, Patterson, Pullen, Rasmussen, Sellar, Vognild, von Reichbauer, Williams, Woody - 23.

Excused: Senator Brauer - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 240, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 3:15 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 3:37 p.m.

#### MESSAGES FROM THE HOUSE

Mr. President:

May 22, 1983

The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 3244,

SUBSTITUTE SENATE BILL NO. 3248,

SUBSTITUTE SENATE BILL NO. 4007,

SUBSTITUTE SENATE BILL NO. 4059, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

Mr. President:

May 22, 1983

The House has passed:

REENGROSSED HOUSE BILL NO. 56,

REENGROSSED SUBSTITUTE HOUSE BILL NO. 57,

REENGROSSED HOUSE BILL NO 58, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

Mr. President:

May 22, 1983

The House has adopted the Report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 55 and has passed the bill as amended by the Free Conference Committee.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Shinpoch, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

ReEHB 56 by Representatives Grimm, Cantu, Powers and Charnley (by Governor Spellman request)

Authorizing bonds for capital improvements for institutions of higher education.

ReESHB 57 by Committee on Ways and Means (originally sponsored by Representatives Grimm and Cantu) (by Governor Spellman request)

Authorizing bonds for state buildings and facilities, land acquisitions and grants and loans.

ReEHB 58 by Representatives Grimm, Cantu, Isaacson and Charnley (by Governor Spellman request)

Authorizing bonds for fisheries facilities.

ESHB 466 by Committee on Ways and Means (originally sponsored by Representatives McClure, Fisch, Haugen and Egger)

Modifying provisions on the taxation of business inventories.

MOTION

On motion of Senator Shinpoch, the rules were suspended, Reengrossed House Bill No. 56, Reengrossed Substitute House Bill No. 57, Reengrossed House Bill No. 58 and Engrossed Substitute House Bill No. 466 were advanced to second reading and placed on the second reading calendar.

On motion of Senator Shinpoch, the Senate advanced to the sixth order of business.

SECOND READING

REENGROSSED HOUSE BILL NO. 56, by Representatives Grimm, Cantu, Powers and Charnley (by Governor Spellman request)

Authorizing bonds for capital improvements for institutions of higher education.

The bill was read the second time.

MOTION

On motion of Senator McDermott, the rules were suspended, Reengrossed House Bill No. 56 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Zimmerman: "We have asked to build here--and we do have a moment. We are in a sense passing the tax part of what was the authorization--yesterday the appropriation--and today the taxes. Is that what we're doing, Senator McDermott? Voting for taxes today, I guess?"

Senator McDermott: "Yes. If you want to have the building built, you have to authorize the bonds to get it."

Senator Zimmerman: "That's all right. We just wanted to be sure that we knew whether we were voting for taxes, at this point."

Further debate ensued.

POINT OF INQUIRY

Senator Patterson: "Senator Shinpoch, as I understand, some few years ago--particularly in the case of the community colleges of this state--did not have the same permanent funds that some of the universities had. In order to do a better job in construction in community colleges, we took all of their tuition money and put it into one fund and that fund is what's used to pay back the bonds that would be authorized under this. Is that true?"

Senator Shinpoch: "I can't really answer for how it's working today, but how it worked then--the answer would be no. There was not sufficient tuition money to satisfy the bonds for the construction that was going into the community college system. We had exhausted all of the ability to finance it out of the tuition money and we were using general fund money. I really can't answer today whether that's

true or not but I can't imagine that we quit building in the community college system and we caught up. I suspect that the answer that was correct then is the answer that is correct now--that it takes general fund money in addition to the tuition money in order to finance the community college capital construction bonds."

Senator Patterson: "But there is the source of tuition that will be collected this year and next year in the community college system that would be used for the purpose of retiring these bonds?"

Senator Shinpoch: "Some portion, certainly."

Further debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Reengrossed House Bill No. 56.

#### ROLL CALL

The Secretary called the roll on final passage of Reengrossed House Bill No. 56, and the bill, having received the constitutional 60% majority, passed by the following vote: Yeas, 32; nays, 17.

Voting yeas: Senators Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Hansen, Hayner, Hughes, Hurley, Jones, Kiskaddon, McDermott, McManus, Moore, Owen, Patterson, Peterson, Rinehart, Shinpoch, Taimadge, Thompson, Vognild, Warnke, Williams, Woody, Zimmerman - 32.

Voting nays: Senators Barr, Benitz, Craswell, Deccio, Guess, Haley, Hemstad, Lee, McCaslin, Metcalf, Newhouse, Pullen, Quigg, Rasmussen, Sellar, von Reichbauer, Wojahn - 17.

REENGROSSED HOUSE BILL NO. 56, having received the constitutional 60% majority, was declared passed, having received the 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

REENGROSSED SUBSTITUTE HOUSE BILL NO. 57, by Committee on Ways and Means (originally sponsored by Representatives Grimm and Cantu (by Governor Spellman request)

Authorizing bonds for state buildings and facilities, land acquisitions and grants and loans.

The bill was read the second time.

#### MOTION

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

On page 4, line 25, strike "forty million one hundred forty-five thousand" and insert one hundred eighty-seven million four hundred twenty-five thousand

#### MOTION

On motion of Senator McDermott, the rules were suspended, Reengrossed Substitute House Bill No. 57, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Vognild: "Senator McDermott, I'm reading through the bill here and I see section 7, on page 3, and we've also made rather a drastic change in the matching money in regards to the people's lodge, I believe, being built in Seattle. Could you explain to me why that was reduced from \$2,700,000 in matching money to \$115,000?"

Senator McDermott: "In the capital budget, these same figures appear. The group that had gotten this bill originally had asked that the money be given on the receipt of \$2,700,000 and they were unable to get that, but they did get this amount of money and have purchased the building and they are asking the amount be changed."

Debate ensued.

#### POINT OF INQUIRY

Senator Patterson: "Senator McDermott, I'm looking at this worksheet which identifies the various projects as funded under the bill and I notice 3.8 million to

acquire McNeil Island. Could you refresh my memory on what kind of arrangement that we entered into with the federal government on the acquisition of McNeil?"

Senator McDermott: "Senator Patterson, I don't remember the precise details but originally it was a lease. Now, when we first got it back in 1981, it was a lease and now we are purchasing the entire island—or most of it."

Senator Patterson: "Is this the amount that was established by the federal government's general administration in order to purchase it?"

Senator McDermott: "Yes."

Senator Patterson: "But we have to buy in order to acquire it totally? There will be no further payments being made for acquisition later on or is this the total bill?"

Senator McDermott: "As far as I know, this is the total bill."

Further debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Reengrossed Substitute House Bill No. 57, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Reengrossed Substitute House Bill No. 57, as amended by the Senate, and the bill, having received the constitutional 60% majority, passed by the following vote: Yeas, 30; nays, 19.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Hansen, Hayner, Hughes, Jones, Kiskaddon, McDermott, McManus, Moore, Owen, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Zimmerman - 30.

Voting nay: Senators Barr, Benitz, Craswell, Deccio, Guess, Haley, Hemstad, Hurley, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Rasmussen, Sellar, von Reichbauer, Woody - 19.

REENGROSSED SUBSTITUTE HOUSE BILL NO. 57, as amended by the Senate, having received the constitutional 60% 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

REENGROSSED HOUSE BILL NO. 58, by Representatives Grimm, Cantu, Isaacson and Charnley (by Governor Spellman request)

Authorizing bonds for fisheries facilities.

The bill was read the second time.

#### MOTION

On motion of Senator McDermott, the rules were suspended, Reengrossed House Bill No. 58 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Reengrossed House Bill No. 58.

#### ROLL CALL

The Secretary called the roll on final passage of Reengrossed House Bill No. 58 and the bill, having received the constitutional 60% majority, passed by the following vote: Yeas, 30; nays, 18; absent, 1.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Hansen, Hughes, Jones, Kiskaddon, McDermott, McManus, Moore, Owen, Patterson, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Woody, Zimmerman - 30.

Voting nay: Senators Barr, Benitz, Craswell, Deccio, Guess, Haley, Hayner, Hemstad, Hurley, McCaslin, Metcalf, Newhouse, Pullen, Quigg, Rasmussen, Sellar, von Reichbauer, Wojahn - 18.

Absent: Senator Lee - 1.

REENGROSSED HOUSE BILL NO. 58, having received the constitutional 60% 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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 466, by Committee on Ways and Means (originally sponsored by Representatives McClure, Fisch, Haugen and Egger)

Modifying provisions on the taxation of business inventories.

The bill was read the second time.

## MOTION

Senator McDermott moved that the following amendments be considered and adopted simultaneously:

On page 2, line 5, after "(c)" insert "Persons who purchased timber on public lands on or before August 1, 1982, are required to continue to pay property tax on those timber inventories, including taxes levied in 1983 and payable in 1984, and thereafter.

(d)"

On page 2, line 28, after "land" strike "and which is sold under a contract entered into after August 1, 1982"

On page 4, line 20, after "timber" strike "standing on public land" and insert "which is standing on public land and which is sold under a contract entered into after August 1, 1982"

On page 4, line 33, after "that" insert "with respect to timber sold under a contract entered into after August 1, 1982."

## POINT OF INQUIRY

Senator Newhouse: "Senator McDermott, it would appear that these people who bought this timber prior to August 1, 1982, would have anticipated that it would not be subject to the tax because according to the statutes at that time--at the time of the sale--the inventory tax was to phase out and it would not be subject to any tax. Is that not right? So you're adding a tax that they did not anticipate when they bought state timber?"

Senator McDermott: "If, when they bought this timber, they anticipated cutting it in '84, they would have thought there would be no tax. They, however, didn't know what was going to happen. They were betting on--if they bought it then--they could also cut it in '83 and pay the tax. It's really a question of what year they choose to cut it."

Senator Newhouse: "True, but there was a three year contract--they could cut it anytime in three years?"

Senator McDermott: "That's correct."

## POINT OF INQUIRY

Senator Bluechel: "Senator McDermott, does this tax in your amendment apply to just standing timber or would it apply to timber in a cold deck?"

Senator McDermott: "It is timber that was bought prior to August 1, 1984."

Senator Bluechel: "All right, Senator McDermott, suppose it's cut next year and then it sits in a cold deck for say three or four years before it's used. Would the inventory tax apply to that timber?"

Senator McDermott: "The property tax?"

Senator Bluechel: "The inventory tax."

Senator McDermott: "It should if it's cut next year--they're supposed to pay property taxes on it for the year '83--not in '84. In the fiscal year '84, they would not pay taxes on it. They would pay no property taxes--no excise tax."

Senator Bluechel: "Under your amendment, there would be no taxes after the fiscal year 1984 on the timber, even if it's not cut or if it is cut--either way?"

Senator McDermott: "I need to check the answer to that question. My understanding is that we're closing a loophole on the single year--fiscal year '84."

Senator Bluechel: "But aren't you adding quite a tax to--the timber could be in two forms. It could be standing and it could be in a cold deck, which is the stored timber but not yet cut up in the mill and that why I'm inquiring. Is there a tax on the timber that is stored in a yard in what is called a cold deck, but not yet cut up into and sold as individual lumber?"

Senator McDermott: "My impression is that this affects standing timber that was sold prior to August 1, 1982. I do not know the Department of Revenue's interpretation of when it's been cut and it's laying in a cold deck--whatever it is--if that's somehow exempted from the tax. I'm not aware of that."

Senator Bluechel demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on adoption of the amendments by Senator McDermott.

#### ROLL CALL

The Secretary called the roll and the motion by Senator McDermott carried and the amendments were adopted by the following vote: Yeas, 25; nays, 23; absent, 1.

Voting yea: Senators Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, Kiskaddon, Lee, McDermott, Moore, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 25.

Voting nay: Senators Barr, Bauer, Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Guess, Hayner, Hemstad, Jones, McCaslin, McManus, Metcalf, Newhouse, Owen, Patterson, Pullen, Quigg, Sellar, von Reichbauer, Zimmerman - 23.

Absent: Senator Haley - 1.

#### MOTION

On motion of Senator McDermott, the rules were suspended. Engrossed Substitute House Bill No. 466, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 466, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute House Bill No. 466, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 25; nays, 23; absent, 1.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Conner, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McManus, Moore, Owen, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 25.

Voting nay: Senators Benitz, Clarke, Craswell, Deccio, Fleming, Fuller, Guess, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Newhouse, Patterson, Pullen, Quigg, Rasmussen, Sellar, von Reichbauer, Zimmerman - 23.

Absent: Senator Haley - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 466, 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

ENGROSSED HOUSE BILL NO. 588, by Representatives Zellinsky, Smitherman, Egger, Schmidt, Isaacson, Hankins, McClure, Fisch, Miller, Vekich, Sayan, Powers and Holland

Providing funds for jail improvement and construction.

The bill was read the second time.

#### MOTIONS

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

On page 1, line 14, after "~~forty~~" strike "million five" and insert "four million three"

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

On page 2, after line 6, insert the following:

**NEW SECTION.** Sec. 3. There is appropriated to the State Jail Commission for the biennium ending June 30, 1983, from the local jail improvement and construction account in the general fund the sum of 3.8 million dollars, or so much thereof as may be necessary, for the specific purpose of constructing an additional floor to the state funded Spokane County Jail project which will house state prisoners under an agreement between the County and the Department of Corrections.

There is reappropriated from the local jail improvement and construction account of the general fund to the corrections standard board for the biennium ending June 30, 1985, any sum

remaining from the foregoing appropriation that was not spent in the biennium ending June 30, 1983.

Renumber the remaining sections consecutively.

#### MOTION

On motion of Senator Granlund, the rules were suspended, Engrossed House Bill No. 588, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Zimmerman: "Senator Hughes, did Senate Bill 3539 have the same amendment that we just added?"

Senator Hughes: "Yes, Senator, the exact language. The House chose to remove that--the reasons--I'm not sure yet, but they did remove that."

The President declared the question before the Senate to be the roll call on final passage of Engrossed House Bill No. 588, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed House Bill No. 588, as amended by the Senate, and the bill, having received the constitutional 60% majority, passed the Senate by the following vote: Yeas, 44; nays, 4; absent, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Hansen, Hayner, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalfe, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody - 44.

Voting nay: Senators Bluechel, Hemstad, Quigg, Zimmerman - 4.

Absent: Senator Haley - 1.

ENGROSSED HOUSE BILL NO. 588, as amended by the Senate, having received the constitutional 60% 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 President returned the Senate to the fourth order of business.

#### MESSAGE FROM THE HOUSE

May 22, 1983

Mr. President:

The House voted to immediately transmit SUBSTITUTE SENATE BILL NO. 4245 to the Senate, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Shinpoch, further consideration of Substitute Senate Bill No. 4245 was deferred.

#### MESSAGE FROM THE HOUSE

May 23, 1983

Mr. President:

The House has adopted the Report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3434 and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### REPORT OF FREE CONFERENCE COMMITTEE

May 20, 1983

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred, ENGROSSED SUBSTITUTE SENATE BILL NO. 3434, modifying definition of "member" for gambling enforcement purposes, have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill do pass:



(See Report of Conference Committee on Engrossed Substitute Senate Bill No. 3434 read in on May 22, 1983)

Signed by: Senators Vognild, Sellar and Williams; Representatives Appelwick, Barrett and Niemi.

#### MOTION

Senator Vognild moved that the Report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 3434 be adopted.

#### PARLIAMENTARY INQUIRY

Senator Metcalf: "A point of parliamentary inquiry. The amendment on page 32, lines 27, 28, 29 and 30 has been ruled, at least once and maybe twice, beyond the scope and object of this bill as it came before the Senate and I'm wondering if a question of scope and object would be a legitimate point at this time?"

#### POINT OF ORDER

Senator Pullen: "Mr. President, to help out Senator Metcalf, I would raise the question of scope and object that the Free Conference Committee Report does expand the scope and object of the bill.

"I would draw the President's attention to some of his prior rulings in which the President has indicated that a Free Conference Committee Report can be challenged on scope and object if the title of the act is broadened. I draw the President's attention to the Free Conference Committee Report on page 33 where we do have a title amendment that does significantly expand the scope and object of the bill and expands the title, as well. Therefore, that's consistent with the President's prior rulings where the President has indicated that a Free Conference Committee Report can be challenged on scope and object."

Debate ensued.

#### PARLIAMENTARY INQUIRY

Senator Vognild: "Mr. President, I would like to inquire of the President if Engrossed Substitute Senate Bill No. 3434 carrying a title--An Act Relating to Gambling--if any title amendment here would not be considered a tightening amendment and not expanding?"

President Pro Tempore Goltz assumed the chair.

There being no objection, the Senate resumed consideration of the Message from the House regarding Substitute Senate Bill No. 4245, transmitting the bill to the Senate, read in earlier today.

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 4245, by Committee on Parks and Ecology (originally sponsored by Senators Goltz, Kiskaddon, Hurley and Williams

Revising provisions relating to hazardous waste management.

#### MOTION

Senator Hughes moved that the rules be suspended and Substitute Senate Bill No. 4245 be returned to second reading.

#### PARLIAMENTARY INQUIRY

Senator Clarke: "We need to take a look at that before we know if there's an objection to putting it down. The question is, according to our data, that this has been referred to a conference committee and I suggest the proper order would seem to be that we would hear the Report of the Conference Committee. We would like a little more information as to the status of this bill."

#### REMARKS BY SENATOR HUGHES

Senator Hughes: "Prior to moving the amendment, Senator Clarke, you are absolutely right. This was in conference. The House insisted on the rule of five signatures and we were unable to gain the fifth signature. This is the bill that has passed previously in the Senate. The only change is that there is a general fund

appropriation of \$50,000, which is found on page 5 of the vertical amendment. There's a horizontal amendment and a vertical and they are identical. I prefer to work off the vertical because that's what my notes are on, but I'll choose either one and the only change from the original House version is the appropriation of \$50,000 in general funds. Senator Haley was on the conference committee, perhaps he would like to respond."

#### REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Goltz: "I'm advised, Senator Clarke, that there is no Conference Committee Report before us and that the House did refer Substitute Senate Bill No. 4245 back to the Senate."

The President Pro Tempore declared the question before the Senate to be the motion by Senator Hughes to return Substitute Senate Bill No. 4245 to second reading. The motion by Senator Hughes carried and Substitute Senate Bill No. 4245 was returned to second reading and read the second time.

#### MOTION

Senator Hughes moved that the following amendment be adopted:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION. Sec. 1. There is added to chapter 70.105 RCW a new section to read as follows:

The legislature hereby declares that:

(1) The health and welfare of the people of the state depend on clean and pure environmental resources unaffected by hazardous waste contamination. Management and regulation of hazardous waste disposal should encourage practices which result in the least amount of waste being produced. Towards that end, the legislature finds that the following priorities in the management of hazardous waste are necessary and should be followed in order of descending priority as applicable:

- (a) Waste reduction;
- (b) Waste recycling;
- (c) Physical, chemical, and biological treatment;
- (d) Incineration;
- (e) Solidification/stabilization treatment;
- (f) Landfill.

(2) As used in this section:

- (a) "Waste reduction" means reducing waste so that hazardous byproducts are not produced;
- (b) "Waste recycling" means reusing waste materials and extracting valuable materials from a waste stream;
- (c) "Physical, chemical, and biological treatment" means processing the waste to render it completely innocuous, produce a recyclable byproduct, reduce toxicity, or substantially reduce the volume of material requiring disposal;
- (d) "Incineration" means reducing the volume or toxicity of wastes by use of an enclosed device using controlled flame combustion;
- (e) "Solidification/stabilization treatment" means the use of encapsulation techniques to solidify wastes and make them less permeable or leachable; and
- (f) "Landfill" means a disposal facility, or part of a facility, at which waste is placed in or on land and which is not a land treatment facility, surface impoundment, or injection well.

NEW SECTION. Sec. 2. There is added to chapter 70.105 RCW a new section to read as follows:

The department shall conduct a study to determine the best management practices for categories of waste for the priority waste management methods established in section 1 of this act, with due consideration in the course of the study to sound environmental management and available technology. As an element of the study, the department shall review methods that will help achieve the priority of section 1(1)(a) of this act, waste reduction. After conducting the study, the department shall prepare new rules or modify existing rules as appropriate to promote implementation of the priorities established in section 1 of this act for management practices which assure use of sound environmental management techniques and available technology. The preliminary study shall be completed by July 1, 1986, and the rules shall be adopted by July 1, 1987. The solid waste advisory committee shall review the studies and the new or modified rules and submit recommendations to the legislature by January 1, 1988, regarding policy options (such as fee incentives, disposal bans, etc.) that will be used to reduce the production of dangerous and extremely hazardous waste in Washington state.

NEW SECTION. Sec. 3. There is added to chapter 70.105 RCW a new section to read as follows:

Consistent with the purposes of sections 1 and 2 of this act, the department is authorized to promote the priority waste management methods listed in section 1 of this act by establishing or assisting in the establishment of: (1) Consultative services which, in conjunction with any business or industry requesting such service, study and recommend alternative waste management practices; and (2) technical assistance, such as a toll-free telephone service, to persons interested in waste management alternatives. Any person receiving such service or assistance may, in accordance with state law, request confidential treatment of information about their manufacturing or business practices.

NEW SECTION, Sec. 4. There is added to chapter 70.105 RCW a new section to read as follows:

All fines and penalties collected under this chapter shall be deposited in the hazardous waste control and elimination account, which is hereby created in the state general fund. Moneys in the account collected from fines and penalties shall be expended exclusively by the department of ecology for the purposes of this act, subject to legislative appropriation. Other sources of funds deposited in this account may also be used for the purposes of this act.

NEW SECTION, Sec. 5. (1) There is appropriated to the department of ecology from the hazardous waste control and elimination account in the general fund for the biennium ending June 30, 1985, the sum of one hundred thousand dollars, or so much thereof as may be necessary, for the purposes of section 2 of this act.

(2) There is appropriated to the department of ecology from the general fund for the biennium ending June 30, 1985, the sum of fifty thousand dollars, or so much thereof as may be necessary, for the purposes of section 2 of this act."

#### POINT OF INQUIRY

Senator Hansen: "Senator Hughes, in this bill now, is animal waste in the class of hazardous waste?"

Senator Hansen: "No, Senator. I think you offered that amendment in committee that we adopted and I believe you'll find that in the bill. I know it was my knowledge that it was in the bill."

Senator Hansen: "I just read the bill and I don't find it there."

Senator Hughes: "I guess I would ask for a moment or two to look it over. It was my thought that it had been included. That's the way the amendment came out of committee, and I would certainly like to check that for Senator Hansen."

Debate ensued.

The President Pro Tempore declared the question before the Senate to be adoption of the amendment by Senator Hughes.

The motion by Senator Hughes carried and the amendment was adopted.

#### MOTION

On motion of Senator Boltiger, further consideration of Substitute Senate Bill No. 4245 was deferred.

#### MESSAGE FROM THE HOUSE

May 23, 1983

Mr. President:

The House insists on its position regarding ENGROSSED SENATE BILL NO. 3750 and asks for a conference thereon, and the Speaker has appointed the following members as conferees: Representatives Sommers, J. King and Hastings

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Shinpoch, the request of the House for a conference on Engrossed Senate Bill No. 3750 was granted.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President Pro Tempore appointed as members of the Conference Committee on Engrossed Senate Bill No. 3750 and the House amendments thereto: Senators McDermott, Benitz and Owen.

#### MOTION

On motion of Senator Shinpoch, the Conference Committee appointments were confirmed.

## MESSAGE FROM THE HOUSE

May 23, 1983

Mr. President:

The House has granted the request of the Senate for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 3226, and the Speaker has appointed the following members as conferees: Representatives Monohon, Ellis and Vander Stoep.

DEAN R. FOSTER, Chief Clerk

There being no objection, the President Pro Tempore returned the Senate to the third order of business.

## MESSAGE FROM THE GOVERNOR

May 23, 1983

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise you that on May 23, 1983, Governor Spellman approved the following Senate Bills entitled:

Senate Bill No. 3760

Relating to local economic development.

Substitute Senate Bill No. 4137

Relating to adult corrections.

Sincerely,

MARILYN SHOWALTER, Counsel to the Governor

## MOTION

At 6:04 p.m., on motion of Senator Bottiger, the Senate adjourned until 10:00 a.m., Tuesday, May 24, 1983.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

## THIRTIETH DAY

---

### MORNING SESSION

---

Senate Chamber, Olympia, Tuesday, May 24, 1983

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Lee and Quigg.

The Sergeant at Arms Color Guard, consisting of Pages Zhon Marie Johnson and Doug Vaughn, presented the Colors. Reverend James H. Blundell, rector of St. John's Episcopal Church of Olympia, offered the prayer.

#### MOTION

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

#### MOTIONS

On motion of Senator Shinpoch, the Senate advanced to the eighth order of business.

On motion of Senator Shinpoch, the Committee on Rules was relieved of further consideration of Senate Resolution No. 1983-30.

On motion of Senator Shinpoch, the rules were suspended, Senate Resolution 1983-30 was placed on second reading and read the second time.

#### MOTION

On motion of Senator Pullen the following resolution was adopted:

#### SENATE RESOLUTION 1983-30

By Senators Pullen, Owen, Lee, von Reichbauer, Talmadge, Kiskaddon, Moore and Shinpoch

WHEREAS, The King County Outdoor Sports Council is celebrating its fiftieth year as is the state game department in promoting good sportsmanship, wildlife management, and conservation practices to ensure that future generations will continue to enjoy our beautiful outdoor areas; and

WHEREAS, The King County Outdoor Sports Council fosters family activities, comradeship, and safe practices in the enjoyment of the great outdoors; and

WHEREAS, The unselfish and persevering efforts of dedicated sportsmen organizations including the King County Outdoor Sports Council together with the state game department and commission have made possible a fish and game program in this state that is dedicated to preserving our state's precious heritage of wildlife; and

WHEREAS, An organization can only function effectively if it has dedicated members such as Ken McLeod; and

WHEREAS, Ken McLeod, born in 1898 in a modest house in Seattle, is known as Mr. Sportsman and has been actively involved in every movement in this state enhancing the organization of sportsmen; and

WHEREAS, From fighting for the passage of the state game control initiative in 1932 and the passage of a state pollution control bill in 1945, to vigorous concern about the future of steelhead fishing in the aftermath of the Boldt decision since 1974, the King County Outdoor Sports Council, other sportsmen organizations, and the citizens of this state have benefited from Ken McLeod's vigilant service as the unofficial watchman over the inherent rights of the sportsmen of this state;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That the King County Outdoor Sports Council be honored for the contributions of its member organizations in enhancing and preserving the quality of life in our ever-green state; and

BE IT FURTHER RESOLVED, That Ken McLeod be honored for his outstanding contributions to the state as "Mr. Sportsman"; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to Gene Tabaka, secretary for the King County Outdoor Sports Council, Ken McLeod, and the state game department and commission.

## MOTION

On motion of Senator Rinehart, the following resolution was adopted:

## SENATE RESOLUTION 1983-103

By Senators Rinehart, Gaspard, Kiskaddon and Hemstad

WHEREAS, The community colleges of Washington employ a large number of part-time faculty members; and

WHEREAS, Some part-time faculty members have been employed in that status for as many as ten years; and

WHEREAS, Community college salary plans established through professional negotiations typically do not compensate part-time faculty members on the same basis as their full-time counterparts; and

WHEREAS, Benefit plan eligibility requirements are such that part-time faculty members frequently are denied the opportunity to participate in said programs;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That the Senate Education Committee conduct a study of part-time faculty employment in community colleges to include, but not be limited to, compensation eligibility, the effects of professional negotiations on part-time faculty compensation, and the degree to which part-time faculty depend upon community college employment for their livelihood; and

BE IT FURTHER RESOLVED, That the Senate Education Committee may establish an advisory committee composed of representatives of the State Board for Community College Education, college district trustees, administrators and both part-time and full-time faculty members; and

BE IT FURTHER RESOLVED, That the Senate Education Committee shall report its findings to the President of the Senate during the regular legislative session commencing January, 1984.

## MOTION

On motion of Senator Goltz, the following resolution was adopted:

## SENATE RESOLUTION 1983-109

By Senators Goltz, Gaspard, Rinehart, Patterson, Guess and Hansen

WHEREAS, The enrollment patterns, student mix and program offerings in Washington's public higher education institutions are rapidly changing; and

WHEREAS, The percentage of allocated state revenue available to public higher education is in a reduction mode; and

WHEREAS, A growing concern is developing regarding the appropriateness and applicability of the existing method of funding higher education in the current environment; and

WHEREAS, The current instructional formula budgeting method has been used for Washington State public institutions of higher education since 1968; and

WHEREAS, The main priorities in the development of a budget for higher education should be the assurance of quality education and an equitable distribution of the funds;

NOW, THEREFORE, BE IT RESOLVED, That the Senate Ways and Means Committee and the Senate Education Committee together undertake an interim study of the existing method of funding the public higher education institutions in Washington State. This study shall be comprehensive and shall include all formula and non-formula areas. Consideration shall be given to the separate mission of each institution and the historical construction of each base budget for the purpose of locating any fiscal imbalances and, if necessary, recommending alternative budget methods to rectify them; and

BE IT FURTHER RESOLVED, That the study shall recommend a funding method for higher education which is equitable to all four year institutions and community colleges and provides sufficient flexibility for the institutions to develop and maintain quality educational programs; and

BE IT FURTHER RESOLVED, That the Senate Ways and Means Committee and the Senate Education Committee shall appoint an advisory committee which shall consist of one representative from each of the state's four year institutions and one representative from the State Board of Community Colleges and any other representation which the Committees deem to be appropriate; and

BE IT FURTHER RESOLVED; That the Committees complete the study and report their findings and recommendations to the 1985 regular session of the Legislature before January 20, 1985.

## MOTION

On motion of Senator Shinpoch, Senate Resolutions 1983-104, 1983-105, 1983-106, 1983-107 and 1983-108 were referred to the Committee on Rules.

## MOTION

At 10:12 a.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 10:14 a.m.

## MOTION

At 10:14 a.m., on motion of Senator Shinpoch, the Senate recessed until 2:00 p.m.

## AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

## MOTION

At 2:00 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 4:11 p.m.

There being no objection, the President reverted the Senate to the fourth order of business.

## MESSAGES FROM THE HOUSE

May 24, 1983

Mr. President:

The House concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 588 and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

May 24, 1983

Mr. President:

The House concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 712 and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

May 24, 1983

Mr. President:

The House has adopted the Report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 240 and has passed the bill as amended by the Free Conference Committee.

DEAN R. FOSTER, Chief Clerk

May 22, 1983

Mr. President:

The House failed to pass SENATE BILL NO. 3985, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 24, 1983

Mr. President:

The Speaker has signed:

HOUSE BILL NO. 1079, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 24, 1983

Mr. President:  
The Speaker has signed:  
HOUSE BILL NO. 56,  
HOUSE BILL NO. 58, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 24, 1983

Mr. President:  
The Speaker has signed:  
SUBSTITUTE HOUSE BILL NO. 55, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 24, 1983

Mr. President:  
The Speaker has signed:  
SUBSTITUTE HOUSE BILL NO. 796, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 23, 1983

Mr. President:  
The House has passed:  
SUBSTITUTE HOUSE BILL NO. 72, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 24, 1983

Mr. President:  
The House has passed:  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 983, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 24, 1983

Mr. President:  
The House has passed:  
SUBSTITUTE HOUSE BILL NO. 996, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 24, 1983

Mr. President:  
The House has adopted:  
ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 120, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

SIGNED BY THE PRESIDENT

The President signed:  
SUBSTITUTE HOUSE BILL NO. 55,  
HOUSE BILL NO. 56,  
HOUSE BILL NO. 58,  
SUBSTITUTE HOUSE BILL NO. 796,  
HOUSE BILL NO. 1079.

MOMENT OF SILENT PRAYER

The members of the Senate stood for a moment of silent prayer in memory of former State Representative Chet Hatfield who passed away May 23, 1983.

MESSAGE FROM THE HOUSE

May 24, 1983

Mr. President:  
The House adopted the Report of the Conference Committee on ENGROSSED SENATE BILL NO. 3858 and passed the bill as originally passed by the Senate, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk



## REPORT OF CONFERENCE COMMITTEE

May 23, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred, ENGROSSED SENATE BILL NO. 3858, authorizing the annexation of areas outside cities and towns upon consent of the property owners, have had the same under consideration, and we recommend that the House recede from its amendments and that the bill pass as originally approved by the Senate.

Signed by: Senators Thompson, Benitz and Woody; Representatives Moon, Charney and Van Dyken.

## MOTION

On motion of Senator Thompson, the Report of the Conference Committee on Engrossed Senate Bill No. 3858 was adopted.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3858, as amended by the Conference Committee.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Senate Bill No. 3858, as amended by the Conference Committee, and the bill passed the Senate by the following vote: Yeas, 45; absent, 4.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 45.

Absent: Senators Deccio, Granlund, Owen, Pullen - 4.

ENGROSSED SENATE BILL NO. 3858, as amended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

There being no objection, the Senate resumed consideration of Substitute Senate Bill No. 4245, deferred May 23, 1983.

## MOTIONS

On motion of Senator Hughes, the following title amendment was adopted:

On page 1, line 1 of the title, after "wastes;" strike the remainder of the title and insert "adding new sections to chapter 70.105 RCW; and making appropriations."

On motion of Senator Hughes, the rules were suspended, Engrossed Substitute Senate Bill No. 4245 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

the President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 4245.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute Senate Bill No. 4245, and the bill passed the Senate by the following vote: Yeas, 40; nays, 8; absent, 1.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 40.

Voting nay: Senators Benitz, Clarke, Guess, Haley, Hayner, Newhouse, Owen, Sellar - 8.

Absent: Senator Pullen - 1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4245, having received the 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 President reverted the Senate to the fifth order of business.

#### INTRODUCTION AND FIRST READING OF HOUSE BILL

ESHB 983 by Committee on Transportation (originally sponsored by Representative Martinis)

Modifying provisions on motor vehicle excise taxes.

#### MOTION

On motion of Senator Shinpoch, the rules were suspended and Engrossed Substitute House Bill No. 983 was advanced to second reading and read the second time.

#### MOTION

Senator Rinehart moved that the following amendment be adopted:  
On page 3, line 12, after "by" strike "uniformed officers" and insert "personnel"

Debate ensued.

#### POINT OF INQUIRY

Senator Shinpoch: "Senator Fuller, would you read 'personnel' as prohibiting the state patrol from using uniformed personnel?"

Senator Fuller: "I do not read it as prohibiting, but I think it gives them an option of sending anybody that is in their employ--whether it's a uniformed person or a desk worker--whatever they happen to be."

Further debate ensued.

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

The motion by Senator Rinehart carried and the amendment was adopted.

#### MOTIONS

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

On page 8, line 27, after "act." insert "Three million dollars of this appropriation shall be used by the department of agriculture for noxious weed control."

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

On page 8, line 33, after "The" strike "one-tenth" and insert "one hundred twenty-five one thousandths"

On motion of Senator McDermott, the rules were suspended, Engrossed Substitute House Bill No. 983, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 983, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute House Bill No. 983, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 25; nays, 22; absent, 2.

Voting yea: Senators Barr, Bauer, Bluechel, Bottiger, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Hansen, Jones, Kiskaddon, Lee, McDermott, McManus, Peterson, Rinehart, Shinpoch, Talmadge, Vognild, Warnke, Williams, Wojahn, Woody - 25.

Voting nay: Senators Bender, Benitz, Clarke, Craswell, Guess, Haley, Hayner, Hemstad, Hughes, Hurley, McCaslin, Metcalf, Moore, Newhouse, Owen, Patterson, Quigg, Rasmussen, Sellar, Thompson, von Reichbauer, Zimmerman - 22.

Absent: Senators Deccio, Pullen - 2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 983, 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.

## INTRODUCTION AND FIRST READING OF HOUSE BILL

SHB 72 by Committee on Ways and Means (originally sponsored by Representatives Grimm and Tilly (by Department of Revenue request)

Modifying miscellaneous tax provisions.

## MOTION

On motion of Senator McDermott, the rules were suspended and Substitute House Bill No. 72 was advanced to second reading and read the second time. Debate ensued.

## PARLIAMENTARY INQUIRY

Senator Newhouse: "Was this a suspension of the rules that was requested? This bill has passed the Senate with substantial amendments and now we find it back here without amendments and I would think it would be on a concurrence calendar."

## REPLY BY THE PRESIDENT

President Cherberg: "Senator Newhouse, the secretary advises that the House reworked the bill and sent it back to the Senate. They scoped it, whatever that means."

Senator Newhouse: "What happened to our amendments? I think we spent about twelve or fifteen hours on those wonderful Christmas tree ornaments we put on it--and now we go through all that process again? I think the bill should be back here with our amendments."

## REMARKS BY SENATOR BOTTIGER

Senator Bottiger: "Mr. President, when the bill arrived at the House, the question of scope and object was raised. The House has a similar rule as the Senate. It was referred to committee to quote 'take the ordinary course of a bill.' In that process, the amendments were discussed, debated, adopted or not adopted and a base of the House Bill passed in the form of an original bill through the House and it's back over here."

## PERSONAL PRIVILEGE

Senator Moore: "Mr. President and fellow members, I am not going to move this amendment. I am withdrawing it, but I would like to make a short statement. I think the behavior of the House was something between outrageous and ludicrous. We did spend the time, as Senator Newhouse has pointed out, getting a bill that took care of a particular problem of a majority here--and a substantial majority-- favors, namely, the bullion and coin dealers sales tax problems. Now, if I have ever seen an outrage put on a single group, it is that group of dealers who are forced to compete with out-of-state dealers--for advertising in the phone book, advertising on the radio and television--'phone us out of state and we'll do business with you with no sales tax.' We are hurting a very important small business sector and I am very irritated, nonetheless, in the interest of seeing that this bill passed without any further amendments, at least on my part. I want to insure safe and speedy passage for those good things that are in the bill."

## PARLIAMENTARY INQUIRY

Senator Metcalf: "I don't understand--and the question is--how is the bill before us in the present form? We passed it over with some amendments and it is now back without those amendments. Did they refuse to concur? Specifically, explain the parliamentary steps by which the bill is before us at the present time--in the form in which it is."

## REPLY BY THE PRESIDENT

President Cherberg: "The Secretary advises that the action took place in the House when someone raised the point of order that certain amendments violated the scope and object of the bill. They reworked the bill--evidently the bill was referred back to committee--they reworked the bill and had the bill take the course of a new bill. The House, in its wisdom, passed the bill over to the Senate."

Senator Metcalf: "Mr. President, is this parliamentary proper? I never really heard of this process before. Is that a new process that we're inaugurating or is this something that is legitimate? Has this been done before? It seems rather unclear to me--I don't believe I've ever seen this before."

#### REMARKS BY SENATOR BOTTIGER

Senator Bottiger: "Mr. President and Senator Metcalf, the answer is yes. It has been done several times when we were considering the question of the SeaFirst bill. The point of order was raised, the bill was sent to committee. We found precedence in 1975--1971, I can't remember the other sessions where this process had been utilized and we brought those to the floor's attention at that time."

#### POINT OF INFORMATION

Senator Sellar: "A point of clarification. However, in the SeaFirst case, when it came back out, it did not take the course of a new bill."

#### MOTION

Senator Fuller moved that the following amendments be considered and adopted simultaneously:

On page 4, after line 28, insert:

"Sec. 3. Section 82.04.250, Chapter 15, Laws of 1961 as last amended by Section 2, Chapter 172, Laws of 1981 and RCW 82.04.250 are each amended as follows:

Upon every person except persons taxable under RCW 82.04.260(8) and (14) engaging within this state in the business of making sales at retail, as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the rate of forty-four one-hundredths of one percent."

On page 7, after line 28, insert:

"(14) Upon every person engaging in the business of selling at retail perishable meat products which are exempt from sales tax pursuant to RCW 82.08.0293 and which have been slaughtered, broken and/or processed by such person, the amount of such tax with respect to such business shall be equal to the gross proceeds derived from such sales multiplied by the rate of thirty-three one-hundredths of one percent."

Debate ensued.

#### POINT OF INQUIRY

Senator Zimmerman: "Senator Lee referred to an issue I'd like to ask if she would elaborate briefly. Simply, that I understand that you said that this measure--if we do not pass this floor amendment--would have the effect of a double taxation on every outlet such as Kentucky Fried Chicken or such similar chicken outlets and others who would be in a sense processing meat in the way that they have processed meats in the state of Washington. They would have a double taxation if we do not pass this amendment, therefore, is that what you said? Is that what I understood you to say?"

Senator Lee: "That is what would happen. Now it is possible, I suppose, either that or they have to set themselves up as a separate taxing group. In other words, they're usually taxed as retailers for business and occupation tax purposes. This is a different rate than what retailers would pay, so if they're in the process of cutting meat even though they're retailers--now that we've established this new rate--then they've got a separate category as now being meat processors as well as being retailers, and that's where the problem arises."

Further debate ensued.

Senator Fuller demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on adoption of the amendments by Senator Fuller.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Fuller failed and the amendments were not adopted by the following vote: Yeas, 22; nays, 25; absent, 2.

Voting yea: Senators Benitz, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Owen, Patterson, Quigg, Sellar, von Reichbauer, Zimmerman - 22.

Voting nay: Senators Barr, Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, McDermott, McManus, Moore, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 25.  
Absent: Senators Bluechel, Pullen - 2.

## MOTION

On motion of Senator McDermott, the rules were suspended, Substitute House Bill No. 72 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Substitute House Bill No. 72.

## ROLL CALL

The Secretary called the roll on final passage of Substitute House Bill No. 72, and the bill passed the Senate by the following vote: Yeas, 35; nays, 10; absent, 4.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Clarke, Conner, Craswell, Deccio, Fuller, Goltz, Granlund, Haley, Hansen, Hayner, Hemstad, Kiskaddon, Lee, McCaslin, McDermott, McManus, Moore, Newhouse, Owen, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Thompson, Vognild, von Reichbauer, Warnke, Woody, Zimmerman - 35.

Voting nay: Senators Fleming, Guess, Hughes, Hurley, Metcal, Patterson, Shinpoch, Talmadge, Williams, Wojahn - 10.

Absent: Senators Bottiger, Gaspard, Jones, Pullen - 4.

SUBSTITUTE HOUSE BILL NO. 72, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the President reverted the Senate to the first order of business.

## REPORTS OF STANDING COMMITTEES

## GUBERNATORIAL APPOINTMENTS

May 24, 1983

GA 7 PHILIP S. HAYES, to the position of Member of the State Board for Community College Education, appointed by the Governor on April 4, 1982, for the term ending April 3, 1986. Reported by Committee on Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Gaspard, Chairman; Bauer, Vice Chairman; Rinehart, Vice Chairman; Bender, Craswell, Fleming, Goltz, Guess, Hemstad, Hughes, Lee, McDermott, von Reichbauer, Warnke.

Passed to Committee on Rules.

May 24, 1983

GA 23 CYNTHIA MAISEL, to the position of Member of the Council for Postsecondary Education, appointed by the Governor on October 2, 1981, for the term ending June 30, 1987, succeeding Marianne Craft Norton. Reported by Committee on Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Gaspard, Chairman; Bauer, Vice Chairman; Rinehart, Vice Chairman; Bender, Craswell, Fleming, Goltz, Guess, Hemstad, Hughes, Lee, McDermott, von Reichbauer, Warnke.

Passed to Committee on Rules.

May 24, 1983

GA 62 MAJEL A. WILSON, to the position of Member of the Board of Trustees for Edmonds Community College District No. 23, appointed by the Governor on November 8, 1982, for the term ending September 30, 1987, succeeding Karen Miller. Reported by Committee on Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Gaspard, Chairman; Bauer, Vice Chairman; Rinehart, Vice Chairman; Bender, Craswell, Fleming, Goltz, Guess, Hemstad, Hughes, Lee, McDermott, von Reichbauer, Warnke.

Passed to Committee on Rules.

May 24, 1983

GA 73 TOMIO MORIGUCHI, to the position of Member of the Board of Trustees for Seattle Community College District No. 6, appointed by the Governor on October 1, 1982, for the term ending September 30, 1987, succeeding Aurelia L del Fierro. Reported by Committee on Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Gaspard, Chairman; Bauer, Vice Chairman; Rinehart, Vice Chairman; Bender, Craswell, Fleming, Goltz, Guess, Hemstad, Hughes, Lee, McDermott, von Reichbauer, Warnke.

Passed to Committee on Rules.

May 24, 1983

GA 75 F. GEORGE WARREN, to the position of Member of the State Board for Community College Education, appointed by the Governor on October 1, 1982, for the term ending April 3, 1986. Reported by Committee on Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Gaspard, Chairman; Bauer, Vice Chairman; Rinehart, Vice Chairman; Bender, Craswell, Fleming, Goltz, Guess, Hemstad, Hughes, Lee, McDermott, von Reichbauer, Warnke.

Passed to Committee on Rules.

May 24, 1983

GA 80 MABEL E. "MICKEY" ROBERTS, to the position of Member of the Board of Trustees for Whatcom Community College District No. 21, appointed by the Governor on January 4, 1983, for the term ending September 30, 1987, succeeding Richard Langabeer. Reported by Committee on Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Gaspard, Chairman; Bauer, Vice Chairman; Rinehart, Vice Chairman; Bender, Craswell, Fleming, Goltz, Guess, Hemstad, Hughes, Lee, McDermott, von Reichbauer, Warnke.

Passed to Committee on Rules.

May 24, 1983

GA 85 DAVID JUSTICE, to the position of Member of the Board of Trustees for Walla Walla Community College District No. 20, appointed by the Governor on February 11, 1982, for the term ending September 30, 1986, succeeding Charles W. Votaw. Reported by Committee on Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Gaspard, Chairman; Bauer, Vice Chairman; Rinehart, Vice Chairman; Bender, Craswell, Fleming, Goltz, Guess, Hemstad, Hughes, Lee, McDermott, von Reichbauer, Warnke.

Passed to Committee on Rules.

May 24, 1983

GA 93 CHERRY A. MCGEE BANKS, to the position of Member of the Board of Trustees for Shoreline Community College District No. 7, appointed by the Governor on February 1, 1983, for the term ending September 30, 1984, succeeding Dr. Samuel E. Kelly. Reported by Committee on Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Gaspard, Chairman; Bauer, Vice Chairman; Rinehart, Vice Chairman; Bender, Craswell, Fleming, Goltz, Guess, Hemstad, Hughes, Lee, McDermott, von Reichbauer, Warnke.

Passed to Committee on Rules.

May 24, 1983

GA 95 FRED C. ENLOW, to the position of Member of the Board of Trustees for Eastern Washington University, appointed by the Governor on February 10, 1983, for the term ending September 30, 1988. Reported by Committee on Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Gaspard, Chairman; Bauer, Vice Chairman; Rinehart, Vice Chairman; Bender, Craswell, Fleming, Goltz, Guess, Hemstad, Hughes, Lee, McDermott, von Reichbauer, Warnke.

Passed to Committee on Rules.

## MOTION

On motion of Senator Shinpoch, the rules were suspended and Gubernatorial Appointment Nos. 7, 23, 62, 73, 75, 80, 85, 93 and 95 were advanced to second reading and placed on the second reading calendar.

There being no objection, the President returned the Senate to the fourth order of business.

## SIGNED BY THE PRESIDENT

The President signed:  
SENATE BILL NO. 3858.

## MESSAGE FROM THE HOUSE

May 24, 1983

Mr. President:

The House has adopted SENATE CONCURRENT RESOLUTION NO. 130 with the following amendment:

On page 3, beginning on line 16, strike all of subsection (16) and insert:

"(16) City, county and state transportation needs, revenue sources presently available to meet those needs, and alternatives for providing adequate, stable funding sources to meet long-term needs for all transportation modes;"

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## MOTION

On motion of Senator Peterson, the Senate concurred in the House amendment to Senate Concurrent Resolution No. 130.

The President declared the question before the Senate to be the roll call on final passage of Senate Concurrent Resolution No. 130, as amended by the House.

## ROLL CALL

The Secretary called the roll on final passage of Senate Concurrent Resolution No. 130, as amended by the House, and the resolution passed the Senate by the following vote: Yeas, 42; absent, 7.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalfe, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, Williams, Wojahn, Woody, Zimmerman - 42.

Absent: Senators Bluechel, Bottiger, Granlund, Jones, Pullen, von Reichbauer, Warnke - 7.

SENATE CONCURRENT RESOLUTION NO. 130, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the Senate resumed consideration of Engrossed Substitute Senate Bill No. 3434 and the point of order raised on the amendments contained in the Report of the Free Conference Committee, read in on May 23, 1983.

## MOTION

On motion of Senator Vognild, and there being no objection, his motion to adopt the Report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 3434 was withdrawn.

On motion of Senator Vognild, Engrossed Substitute Senate Bill No. 3434 was returned to the House with the request that the Conference Committee reconsider the bill.

MESSAGE FROM THE HOUSE

May 24, 1983

Mr. President:

The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 3780 with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 4, chapter 177, Laws of 1980 and RCW 74.46.040 are each amended to read as follows:

(1) Not later than March 31, 1982, and each year thereafter, each contractor shall submit to the department an annual cost report, and such financial statements as are required by this chapter, for the period from January 1st through December 31st of the preceding year.

(2) 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 (~~after March 31st~~) may be granted by the department upon receipt of a written request setting forth the circumstances which prohibit the contractor from compliance with ~~((such)) 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.

~~((3) Not later than one hundred and twenty days following the termination of a contract, the contractor shall submit to the department a cost report, and such financial statements as are required by this chapter, for the period from January 1st through the date the contract terminated.))~~

Sec. 2. Section 6, chapter 177, Laws of 1980 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 ~~((pursuant to RCW 74.46.070)) 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, ~~((such additional regulatory requirements developed pursuant to RCW 74.46.070)) 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. 3. Section 8, chapter 177, Laws of 1980 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. The department may direct such records to be retained for a longer period if there remain unresolved questions on the cost reports and financial statements. All such records shall be made available upon demand to authorized representatives of the department, the office of the state auditor, and the United States department of health ~~((-education))~~ and ~~((welfare))~~ 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. 4. Section 10, chapter 177, Laws of 1980 and RCW 74.46.100 are each amended to read as follows:

The principles inherent within ~~((RCW 74.46.110 through 74.46.140)) section 5 of this 1983 act and RCW 74.46.130~~ are:

(1) To ascertain, through ~~((certified)) department~~ audit, that the costs for each year are accurately reported, thereby providing a valid basis for future rate determination;

(2) To ascertain, through ~~((certified)) department~~ audits of the cost reports, that cost reports properly reflect the financial statements of the contractor, particularly as they pertain to related organizations and beneficial ownership, thereby providing a valid basis for the determination of return as specified by this chapter;

(3) To ascertain, through ~~((the certified)) department~~ audit ~~((and the oversight of the office of the state auditor.))~~ that compliance with the accounting and auditing provisions of this chapter and the rules and regulations of the department as they pertain to these accounting and auditing provisions is proper and consistent; and



(4) To ascertain, through ~~((certified))~~ department audits, that the responsibility of the contractor has been met in the maintenance of patient trust funds.

NEW SECTION. Sec. 5. There is added to chapter 74.46 RCW a new section 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 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.

NEW SECTION. Sec. 6. There is added to chapter 74.46 RCW a new section to read as follows:

The office of the state auditor shall annually review the performance of the department to ensure that departmental audits are conducted in accordance with generally accepted accounting principles and auditing standards.

Sec. 7. Section 13, chapter 177, Laws of 1980 and RCW 74.46.130 are each amended to read as follows:

(1) For the requirements of ~~((RCW 74.46.120(1)))~~ section 5 of this 1983 act, the contractor shall be notified by the ~~((accountant))~~ 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, financial statements, and patient trust funds; and

(b) Prepare reconciliation of the cost report and financial statements with (i) applicable federal income and federal and state payroll tax returns and (ii) the records for the period covered by the cost report and financial statements.

~~(2) ((For the requirements of RCW 74.46.120(2)), the contractor shall provide access to the facility and supply all records as required in subsection (1) of this section.))~~ 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. 8. Section 15, chapter 177, Laws of 1980 and RCW 74.46.150 are each amended to read as follows:

(1) For each cost center, payments to contractors shall not exceed the lower of prospective reimbursement rates or audited allowable costs, except as otherwise provided in this chapter.

(2) The settlement process shall consist of:

(a) The evaluation of the proposed preliminary settlement ((report)) by cost center contained within the cost report and preparation of the preliminary settlement report;

(b) The evaluation of the audit results, if an audit is conducted, including disallowed costs and preparation of the final settlement report; and

(c) The process of scheduling payment ((as to such)) of underpayments or overpayments determined by preliminary or final settlement.

~~((2) In:~~

~~(a) Rulings on questioned costs; or~~

~~(b) Interpretations resulting in payment of the whole or a portion of a disallowed cost. The department shall prepare and maintain such rulings and interpretations with full justification and explanation for the respective contractor and the appropriate standing committees of the legislature.))~~

Sec. 9. Section 16, chapter 177, Laws of 1980 and RCW 74.46.160 are each amended to read as follows:

(1) ~~((Upon))~~ Within one hundred twenty days after receipt of the proposed preliminary settlement ~~((report))~~, the department shall verify the accuracy of ~~((such report))~~ 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) ~~((Within thirty days))~~ After ~~((receipt))~~ completion of the ~~((audited reports by the secretary))~~ audit process, including exhaustion or mutual termination of reviews and appeals of audit findings or determinations, the department will submit a ~~((proposed))~~ final settlement report by cost center to the contractor which ~~((rules on questioned costs, and))~~ fully substantiates disallowed costs, refunds, underpayments, ~~((and/or))~~ or adjustments to the ~~((preliminary settlement))~~ 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. 10. Section 17, chapter 177, Laws of 1980 and RCW 74.46.170 are each amended to read as follows:

(1) ~~((The settlement will become final))~~ A contractor shall have thirty days after the date the ~~((proposed))~~ preliminary or final settlement report is submitted to the contractor ~~((unless the contractor))~~ to contest ~~((s) the)~~ a settlement determination under RCW 74.46.780. ~~((In the event of such action, the contractor has thirty days after the date the proposed final settlement report has been submitted to notify the department of such contesting pursuant to the provisions of RCW 74.46.780.))~~ After the thirty-day period has expired, a preliminary or final settlement will not be subject to review.

(2) A preliminary settlement report as issued by the department will become the final settlement report if no audit has been scheduled within twelve calendar months following the department's issuance of a preliminary settlement report to the contractor.

(3) A settlement will be reopened if necessary to make adjustments for findings resulting from an audit performed pursuant to ~~((this chapter))~~ section 5(4) of this 1983 act.

Sec. 11. Section 18, chapter 177, Laws of 1980 and RCW 74.46.180 are each amended to read as follows:

(1) The state shall make payment of any underpayments within ~~((fifteen))~~ thirty days ~~((of))~~ after the date the preliminary or final settlement ~~((becomes final))~~ report is submitted to the contractor.

(2) ~~((The))~~ A contractor found to have received either overpayments ~~((and/or))~~ or erroneous payments under a preliminary or final settlement shall refund such payments to the state within thirty days ~~((of))~~ after the date the preliminary or final settlement ~~((becomes final))~~ report is submitted to the contractor, subject to the provisions of subsections (3), (4) ~~((and (5)))~~, and (7) of this section.

(3) Within the cost centers of nursing services and food, all savings resulting from the respective ~~((audited))~~ allowable costs being lower than the respective reimbursement rate paid to the contractor during the report period shall be refunded. 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. 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.

(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 ~~((shall not))~~ 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. 12. Section 19, chapter 177, Laws of 1980 and RCW 74.46.190 are each amended to read as follows:

(1) The substance of a transaction will prevail over its form.

(2) All documented costs which are ordinary, necessary, related to care of medical care recipients, and not expressly ~~((nonallowable))~~ unallowable, are to be allowable.

(3) Costs applicable to services, facilities, and supplies furnished to the provider by related organizations are allowable but at the cost to the related organization, provided they do not exceed the price of comparable services, facilities, or supplies that could be purchased elsewhere.

~~((4) The payment for property usage is to be independent of ownership structure and financing arrangements.))~~

Sec. 13. Section 27, chapter 177, Laws of 1980 and RCW 74.46.270 are each amended to read as follows:

(1) The contractor shall disclose to the department:

(a) The nature and purpose of all costs which represent allocations of joint facility costs; and

(b) The methodology of the allocation utilized.

(2) Such disclosure shall demonstrate that:

(a) The services involved are necessary and nonduplicative; and

(b) Costs are allocated in accordance with benefits received from the resources represented by those costs.

(3) Such disclosure shall be made not later than September 30, 1980, for the following year and not later than September 30th for each year thereafter; except that a new contractor shall submit the first year's disclosure together with the submissions required by RCW 74.46.670. Where a contractor will make neither a change in the joint costs to be incurred nor in the allocation methodology, the contractor may certify that no change will be made in lieu of the disclosure required in subsection (1) of this section.

~~((3))~~ (4) The department shall approve such methodology not later than December 31, 1980, and not later than December 31st for each year thereafter. ~~((Such approval shall include, but not be limited to, the assurance that:~~

~~(a) The services involved are necessary and nonduplicative; and~~

~~(b) Costs are allocated in accordance with benefits received from the resources represented by those costs.~~

~~((4))~~ (5) An approved methodology may be revised or amended subject to approval as provided in ~~((subsection (3) of this section and))~~ rules and regulations adopted by the department.

NEW SECTION. Sec. 14. There is added to chapter 74.46 RCW a new section to read as follows:

(1) The contractor's necessary and ordinary interest for working capital and capital indebtedness will be allowable.

(a) To be necessary, interest must be incurred in connection with a loan which satisfies a financial need of the contractor and be for a purpose related to patient care. Interest expense relating to business opportunity or goodwill will not be allowed.

(b) To be ordinary, interest must be at a rate which is not in excess of what a prudent borrower would have to pay at the time of the loan in an arm's-length transaction in the money market.

(c) Interest expense shall include amortization of bond discounts and expenses related to the bond issue. Amortization shall be over the period from the date of sale to the date of maturity or, if earlier, the date of extinguishment of the bonds.

(2) Interest paid to or for the benefit of a related organization will be allowed only to the extent the interest does not exceed the actual cost to the related organization of obtaining the use of funds in an arm's-length transaction.

(3) In computing allowable costs, interest income from the investment or lending of non-restricted funds shall be deducted from allowable expense.

(4) Interest income from the investment or lending of restricted funds shall not be deducted from allowable interest expense.

NEW SECTION, Sec. 15. There is added to chapter 74.46 RCW a new section to read as follows:

Rental or lease costs of land, building or equipment under arm's-length operating leases or depreciation and interest costs of land, building or equipment under arm's-length leases to be capitalized according to generally accepted accounting principles shall be allowable, to the extent the cost is necessary, ordinary, and related to patient care.

Sec. 16, Section 31, chapter 177, Laws of 1980 and RCW 74.46.310 are each amended to read as follows:

The following costs shall be capitalized:

(1) Expenses for facilities or equipment with historical cost in excess of ~~((five))~~ seven hundred fifty dollars per unit and a useful life of more than one year from the date of purchase; and

(2) Expenses for equipment with historical cost of ~~((five))~~ seven hundred fifty dollars or less per unit if either:

(a) The item was acquired in a group purchase where the total cost exceeded ~~((five))~~ seven hundred fifty dollars; or

(b) The item was part of the initial stock of the facility.

(3) Dollar limits in this section may be adjusted for economic trends and conditions by the department as established by rule and regulation.

Sec. 17, Section 41, chapter 177, Laws of 1980 and RCW 74.46.410 are each amended to read as follows:

(1) Costs will be unallowable if they are not documented, necessary, ordinary, and related to the provision of care services to authorized patients.

(2) Unallowable costs include, but are not limited to, the following:

(a) Costs of items or services not covered by the medical care program. Costs of such items or services will be unallowable even if they are indirectly reimbursed by the department as the result of an authorized reduction in patient contribution;

(b) Costs of services and items provided to recipients which are covered by the department's medical care program but not included in care services established by the department under this ~~((act))~~ chapter;

(c) Costs associated with a capital expenditure subject to section 1122 approval (part 100, Title 42 C.F.R.) if the department found it was not consistent with applicable standards, criteria, or plans. If the department was not given timely notice of a proposed capital expenditure, all associated costs will be unallowable up to the date they are determined to be reimbursable under applicable federal regulations;

(d) Costs associated with a construction or acquisition project requiring certificate of need approval pursuant to chapter 70.38 RCW if such approval was not obtained;

~~((e))~~ ~~((interest costs other than those provided by RCW 74.46.290;~~

~~((f))~~ Salaries or other compensation of owners, officers, directors, stockholders, and others associated with the contractor or home office, except compensation paid for service related to patient care;

~~((g))~~ (f) Costs in excess of limits or ((violating)) in violation of principles set forth in this chapter;

~~((h))~~ (g) Costs resulting from transactions or the application of accounting methods which circumvent the principles of the cost-related reimbursement system set forth in this chapter;

~~((i))~~ (h) Costs applicable to services, facilities, and supplies furnished by a related organization in excess of the lower of the cost to the related organization or the price of comparable services, facilities, or supplies purchased elsewhere;

~~((j))~~ (i) Bad debts of non-Title XIX recipients. Bad debts of Title XIX recipients are allowable if the debt is related to covered services, it arises from the recipient's required contribution toward the cost of care, the provider can establish that reasonable collection efforts were made, the debt was actually uncollectible when claimed as worthless, and sound business judgment established that there was no likelihood of recovery at any time in the future;

~~((k))~~ (j) Charity and courtesy allowances;

((ff)) (k) Cash, assessments, or other contributions, excluding dues, to charitable organizations, professional organizations, trade associations, or political parties, and costs incurred to improve community or public relations;

((mm)) (l) Vending machine expenses;

((nn)) (m) Expenses for barber or beautician services not included in routine care;

((oo)) (n) Funeral and burial expenses;

((pp)) (o) Costs of gift shop operations and inventory;

((qq)) (p) Personal items such as cosmetics, smoking materials, newspapers and magazines, and clothing, except those used in patient activity programs;

((rr)) (q) Fund-raising expenses, except those directly related to the patient activity program;

((ss)) (r) Penalties and fines;

((tt)) (s) Expenses related to telephones, televisions, radios, and similar appliances in patients' private accommodations;

((uu)) (t) Federal, state, and other income taxes;

((vv)) (u) Costs of special care services except where authorized by the department;

((ww)) (v) Expenses of key-man insurance and other insurance or retirement plans not made available to all employees;

((xx)) (w) Expenses of profit-sharing plans;

((yy)) (x) Expenses related to the purchase and/or use of private or commercial airplanes which are in excess of what a prudent contractor would expend for the ordinary and economic provision of such a transportation need related to patient care;

((zz)) (y) Personal expenses and allowances of owners or relatives;

((aaa)) (z) All expenses of maintaining professional licenses or membership in professional organizations;

((bbb)) (aa) Costs related to agreements not to compete;

((ccc)) (bb) Amortization of goodwill;

((ddd)) (cc) Expenses related to vehicles which are in excess of what a prudent contractor would expend for the ordinary and economic provision of transportation needs related to patient care;

((eee)) (dd) Legal and consultant fees in connection with a fair hearing against the department where a decision is rendered in favor of the department or where otherwise the determination of the department stands;

((fff)) (ee) Legal and consultant fees of a contractor or contractors in connection with a lawsuit against the department; and

((ggg)) (ff) Lease acquisition costs and other intangibles not related to patient care((

~~hh) All rental or lease costs other than those provided in RCW 74.46.300; and~~

~~ii) All audit costs incurred pursuant to RCW 74.46.120(i)).~~

Sec. 18. Section 42, chapter 177, Laws of 1980 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;

(2) Rates (~~will be~~) established (~~not lower than the level which is reasonably expected to be~~) in accordance with this chapter shall be reasonable and adequate to ((reimburse in full the actual allowable) meet the costs ((of a facility which is) that must be incurred by economically and efficiently operated ((and) facilities to provide ((care) services which meet((s) the needs of a medical care recipient in compliance with applicable standards; and

(3) The rates so established will (~~take into account~~) be adjusted for economic conditions and trends ((during) in accordance with appropriations made by the legislature as consistent with federal requirements for the period to be covered by such rates.

Sec. 19. Section 43, chapter 177, Laws of 1980 and RCW 74.46.430 are each amended to read as follows:

(1) The department, as provided by this chapter, will determine prospective cost-related reimbursement rates for services provided to medical care recipients. Each rate so determined shall represent the contractor's maximum compensation within each cost center for each patient day for such medical care recipient.

(2) As required, the department may modify such maximum per patient day rates pursuant to the administrative review provisions of RCW 74.46.780.

(3) ~~((The maximum prospective reimbursement rates for the administration and operations and the property cost centers and the return on investment allowance shall be established based upon a minimum facility occupancy level of eighty-five percent.)) The maximum prospective reimbursement rates for the administration and operations and the property cost centers shall be established based upon a minimum facility occupancy level of eighty-five percent.~~

Sec. 20. Section 45, chapter 177, Laws of 1980 and RCW 74.46.450 are each amended to read as follows:

(1) Prospective reimbursement rates for a new contractor will be established within sixty days following receipt by the department of the properly completed projected budget

required by RCW 74.46.670. Such reimbursement rates will become effective as of the effective date of the contract and shall remain in effect until rates can be established under RCW 74.46.460 based on a contractor's cost report including at least six months of cost data.

(2) Such reimbursement rates will be based on the contractor's projected cost of operations ~~((through December 31st of the year the contract becomes effective;))~~ and on costs and payment rates of the prior contractor, if any, ~~((and/or))~~ or of other contractors in comparable circumstances.

(3) If a properly completed budget is not received at least sixty days prior to the effective date of the contract, the department will establish preliminary rates based on the other factors specified in subsection (2) of this section. These preliminary rates will remain in effect until a determination is made pursuant to RCW 74.46.460.

Sec. 21. Section 46, chapter 177, Laws of 1980 as amended by section 5, chapter 2, Laws of 1981 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, 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 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, ~~((1984))~~ 1983, such contractor's prospective rate effective July 1, ~~((1984))~~ 1983, will be determined utilizing ~~((his reported))~~ the contractor's desk-reviewed allowable costs for calendar year ~~((1983))~~ 1982.

(4) All prospective reimbursement rates for ~~((1985))~~ 1984 and thereafter shall be determined utilizing the prior year's ~~((audited))~~ desk-reviewed cost reports.

Sec. 22. Section 47, chapter 177, Laws of 1980 and RCW 74.46.470 are each amended to read as follows:

A contractor's reimbursement rates for medical care recipients will be determined utilizing ~~((audited))~~ desk-reviewed cost report data within the following cost centers:

- (1) Nursing services;
- (2) Food;
- (3) Administration and operations; and
- (4) Property.

NEW SECTION. Sec. 23. There is added to chapter 74.46 RCW a new section 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 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.

NEW SECTION. Sec. 24. There is added to chapter 74.46 RCW a new section to read as follows:

(1) The nursing services cost center shall include all costs related to the direct provision of nursing and related care, including fringe benefits and payroll taxes for the nursing and related care personnel. For rates effective for state fiscal year 1984, the department shall adopt by administrative rule a definition of "related care" which shall incorporate, but not exceed services reimbursable as of June 30, 1983. For rates effective for state fiscal year 1985, the definition of related care shall include ancillary care.

(2) The department shall adopt by administrative rules a method for establishing a nursing services cost center rate consistent with the principles stated in this section.

(3) Utilizing regression or other statistical technique, the department shall determine a reasonable limit on facility nursing staff taking into account facility patient characteristics. For purposes of this section, facility nursing staff refers to registered nurses, licensed practical nurses and nursing assistants employed by the facility or obtained through temporary labor contract arrangements. In selecting a measure of patient characteristics, the department shall take into account:

- (a) The correlation between alternative measures and facility nursing staff; and  
 (b) The cost of collecting information for and computation of a measure.

If regression is used, the limit shall be set at predicted nursing staff plus 1.75 regression standard errors. If another statistical method is utilized, the limit shall be set at a level corresponding to 1.75 standard errors above predicted staffing computed according to a regression procedure.

(4) No facility shall receive reimbursement for nursing staff levels in excess of the limit, except that, if a facility was reimbursed for a nursing staff level in excess of the limit as of June 30, 1983, the facility may choose to continue to receive its June, 1983 nursing services rate plus any adjustments in rates, such as adjustments for economic trends, made available to all facilities. The reasonableness limit established pursuant to this subsection shall remain in effect for the period July 1, 1983 through June 30, 1985. At that time the department may revise the measure of patient characteristics or method used to establish the limit.

(5) The department shall select an index of cost increase relevant to the nursing and related services cost area. In the absence of a more representative index, the department shall use the medical care component index as maintained by the United States bureau of labor statistics.

(6) If a facility's nursing staff level is below the limit specified in subsection (3) of this section, the department shall determine the percentage increase for all items included in the nursing services cost center between the facility's most recent cost reporting period and the next prior cost reporting period.

(a) If the percentage cost increase for a facility is below the increase in the selected index for the same time period, the facility's reimbursement rate in the nursing services cost center shall equal the facility's cost from the most recent cost reporting period plus any allowance for inflation provided by legislative appropriation.

(b) If the percentage cost increase for a facility exceeds the increase in the selected index, the department shall limit the cost used for setting the facility's rate in the nursing services cost area to a level reflecting the increase in the selected index.

(7) If the facility's nursing staff level exceeds the reasonableness limit established in subsection (3) of this section, the department shall determine the increase for all items included in the nursing services cost center between the facility's most recent cost reporting period and the next prior cost reporting period.

(a) If the percentage cost increase for a facility is below the increase in the index selected pursuant to subsection (5) of this section, the facility's reimbursement rate in the nursing cost center shall equal the facility's cost from the most recent cost reporting period adjusted downward to reflect the limit on nursing staff, plus any allowance for inflation provided by legislative appropriation subject to the provisions of subsection (4) of this section.

(b) If the percentage cost increase for a facility exceeds the increase in the selected index, the department shall limit the cost used for setting the facility's rate in the nursing services cost center to a level reflecting the nursing staff limit and the cost increase limit, subject to the provisions of subsection (4) of this section, plus any allowance for inflation provided by legislative appropriation.

(8) The department is authorized to determine on a systematic basis facilities with unmet patient care service needs. The department may increase the nursing services cost center prospective rate for a facility beyond the level determined in accordance with subsection (6) of this section if the facility's actual and reported nursing staffing is one standard error or more below predicted staffing as determined according to the method selected pursuant to subsection (3) of this section and the facility has unmet patient care service needs: PROVIDED, That prospective rate increases authorized by this subsection shall be funded only from legislative appropriations made for this purpose and the increases shall be conditioned on specified improvements in patient care at such facilities.

(9) The department shall establish a method for identifying patients with exceptional care requirements and a method for establishing or negotiating on a consistent basis rates for such patients.

Sec. 25. Section 49, chapter 177, Laws of 1980 as amended by section 6, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.490 are each amended to read as follows:

(1) The food cost center shall include all costs for bulk and raw food and beverages purchased for the dietary needs of medical care recipients.

(2) ~~(The food cost reimbursement rate for each facility shall be computed as follows:~~

~~FR = (TFC/TPD) 1.15, where~~

~~FR = the facility food cost center reimbursement rate;~~

~~TFC = the total of all reporting facilities' food cost center costs; and~~

~~TPD = the total patient days for the prior year of all reporting facilities.~~

(3) ~~Unless extended by law for an additional period of time, on and after July 1, 1986, the food cost reimbursement rate for each facility shall be computed as follows:~~

~~FR = (TFC/TPD), where~~

~~FR = the facility food cost center reimbursement rate;~~

~~TFC = the total of all reporting facilities' food cost center costs; and~~

~~TPD = the total patient days for the prior year of all reporting facilities;)) Reimbursement for the food cost center shall be at the January 1, 1983, reimbursement rate, adjusted annually for inflation.~~

Sec. 26. Section 50, chapter 177, Laws of 1980 and RCW 74.46.500 are each amended to read as follows:

(1) The administration and operations cost center shall include all items not included in the cost centers of nursing services, food, and property.

(2) The administration and operations cost center reimbursement rate for each facility shall be based on the computation in this subsection and shall not exceed the eighty-fifth percentile of (a) the rates of all reporting facilities derived from the computation below, or (b) reporting facilities grouped in accordance with subsection (3) of this section:

AR = TAC/TPD, where

AR = the administration and operations cost center reimbursement rate for a facility;

TAC = the total costs of the administration and operations cost center (~~plus the retained savings from such cost center as provided in RCW 74.46.180 of a facility~~); and

TPD = the total patient days for a facility for the prior year.

(3) The secretary may group facilities based on factors which could reasonably influence cost requirements of this cost center, other than ownership or legal organization characteristics.

NEW SECTION. Sec. 27. There is added to chapter 74.46 RCW a new section to read as follows:

(1) The property cost center rate shall include costs of depreciation, interest for working capital and capital indebtedness, and leases.

(2) Total per patient day property cost center cost for each facility shall be determined by dividing the sum of the reported allowable prior period actual depreciation, interest and lease costs, subject to RCW 74.46.310 through 74.46.390, adjusted for any capitalized additions or replacements approved by the department, by the total patient days for the facility in the prior period. If a capitalized addition or retirement of an asset will result in a different licensed bed capacity during the ensuing period, the prior period total patient days used in computing the property cost center cost shall be adjusted to the anticipated patient day level.

(3) The department shall compute the net invested funds for each facility. In computing the net book value of tangible fixed assets, the same assets, depreciation bases, lives, and methods referred to in RCW 74.46.310 through 74.46.390, 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.

(4) The sum of net invested funds shall then be multiplied by .15. To this product shall be added allowable depreciation for both owned and leased assets computed according to the provisions of RCW 74.46.310 through 74.46.390. This amount shall be divided by prior period patient days, except that if a capitalized addition or retirement of an asset will result in a different licensed bed capacity during the ensuing period, the prior period patient days shall be adjusted to the anticipated patient day level. The amount determined in this subsection shall be the maximum property cost center reimbursement for a facility, whether owner operated or leased.

(5) A facility shall receive as a property cost center reimbursement rate the lesser of allowable cost per patient day computed in accordance with subsection (2) of this section or the maximum reimbursement under subsection (4) of this section.

(6) In the case of a facility which was leased by the contractor as of January 1, 1983, 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, is more than the maximum reimbursement determined according to subsection (4) of this section, the following shall apply:

(a) Net asset value shall be recomputed substituting the fair market value of the assets as of January 1, 1983, as determined by the department of general administration through an appraisal procedure. This recomputed net asset value shall be substituted in the computation of 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.

(b) The facility shall receive the lesser of allowable depreciation, interest and lease expense, or the maximum reimbursement computed according to subsection (4) of this section utilizing net invested funds determined according to subsection (6)(a) of this section.

(c) The appraisals required by subsection (6)(a) of this section shall be conducted as soon as practical after the effective date of this act. Until such time as the appraisal procedure has



been completed, net asset values recomputed, and the maximum reimbursement rate established, the contractor shall receive as a property cost center reimbursement rate the contractor's property reimbursement rate as of June 30, 1983. At such time as the maximum reimbursement rate is determined and a rate according to subsection (6)(b) of this section can be established, the provider shall receive an adjustment in the property cost center rate retroactive to July 1, 1983.

(7) When a certificate of need is requested for a new facility or for an addition to an existing facility, the department shall establish a maximum reimbursable land, building construction, and equipment cost.

NEW SECTION. Sec. 28. There is added to chapter 74.46 RCW a new section to read as follows:

The return on net invested equity for each facility shall be determined by utilizing medicare rules and regulations applied to the most recent available annual cost report, except that a rate of return of twelve percent shall be used and this return shall not exceed two dollars per patient day for any provider.

Sec. 29. Section 55, chapter 177, Laws of 1980 and RCW 74.46.550 are each amended to read as follows:

~~((1))~~ The reimbursement rates shall not exceed the contractor's customary charges to the general public for comparable services.

~~((2)) Rates shall not exceed the limits set forth in 42 CFR 450.30(b)(6).)~~

Sec. 30. Section 56, chapter 177, Laws of 1980 and RCW 74.46.560 are each amended to read as follows:

The department will notify each contractor in writing of its prospective reimbursement rates ~~((at least thirty days in advance of))~~ by the effective date of the rates. Unless otherwise specified at the time it is issued, the rate will be effective from the first day of the month in which it is issued until a new rate becomes effective. If a rate is changed as the result of an appeal in accordance with RCW 74.46.780, it will be effective as of the date the appealed rate became effective.

Sec. 31. Section 57, chapter 177, Laws of 1980 and RCW 74.46.570 are each amended to read as follows:

(1) Prospective rates are subject to adjustment by the department as a result of errors or omissions by the department or by the contractor. The department will notify the contractor in writing of each adjustment and of ~~((the))~~ the effective date of the adjustment, and of any amount due to the department or to the contractor as a result of the rate adjustment.

(2) If a contractor claims an error or omission based upon incorrect cost reporting, amended cost report pages shall be prepared and submitted by the contractor. Amended pages shall be accompanied by a certification signed by the licensed administrator of the nursing facility and a written justification explaining why the amendment is necessary. The certification and justification shall meet such criteria as are adopted by the department. Such amendments may be used to revise a prospective rate but shall not be used to revise a settlement if submitted after commencement of the field audit. All changes determined to be material by the department shall be subject to field audit. If changes are found to be incorrect or otherwise unacceptable, any rate adjustment based thereon shall be null and void and resulting payments or payment increases shall be subject to refund.

(3) The contractor shall pay an amount ~~((it owes))~~ owed the department resulting from an error or omission, or commence repayment in accordance with a schedule determined by the department, within sixty days after receipt of notification of the rate adjustment, unless the contractor contests the department's determination in accordance with the procedures set forth in RCW 74.46.780. If the determination is contested, the contractor shall pay or commence repayment within sixty days after completion of these proceedings. If a refund is not paid when due, the amount thereof may be deducted from current payments by the department.

~~((3))~~ (4) The department shall pay any amount ~~((it owes))~~ owed the contractor as a result of a rate adjustment within thirty days after ~~((it notifies))~~ the contractor is notified of the rate adjustment.

~~((4))~~ (5) No adjustments will be made to a rate more than one hundred twenty days after the final (settlement) audit narrative and summary for the period the rate was effective is sent to the contractor or, if no audit is held, more than one hundred twenty days after the preliminary settlement becomes the final settlement, except when a settlement is reopened as provided in RCW 74.46.170((2))(3).

Sec. 32. Section 58, chapter 177, Laws of 1980 and RCW 74.46.580 are each amended to read as follows:

The department shall provide all interested members of the public with an opportunity to review and comment on the proposed rate-setting factors, indices, measures, and guidelines ~~((not later than May 15th of each year prior to their being used to set rates)),~~ consistent with federal requirements.

Sec. 33. Section 61, chapter 177, Laws of 1980 and RCW 74.46.610 are each amended to read as follows:

(1) A contractor shall bill the department each month by completing and returning a facility billing statement as provided by the department which shall include, but not be limited to:

- (a) Billing by cost center;
- (b) Total patient days; and
- (c) Patient days for medical care recipients.

The statement shall be completed and filed in accordance with rules and regulations established by the secretary.

(2) A ~~((contractor))~~ facility shall not bill the department for service provided to a recipient until an award letter of eligibility of such recipient ~~((pursuant to))~~ under rules ~~((and regulations))~~ established ~~((according to the provisions of))~~ under chapter 74.09 RCW has been received by the ~~((contractor except that a contractor))~~ facility. However a facility may bill and shall be reimbursed for all medical care recipients referred to the ~~((contractor's))~~ facility by the department prior to the receipt of the award letter of eligibility or the denial of such eligibility. ~~((At that time it may bill for service provided back through the date the recipient was admitted or became eligible:))~~

- (3) Billing shall cover the patient days of care.

Sec. 34. Section 64, chapter 177, Laws of 1980 and RCW 74.46.640 are each amended to read as follows:

(1) Payments to a contractor may be withheld by the department in each of the following circumstances:

(a) A required report is not properly completed and filed by the contractor within the appropriate time period, including any approved extension. Payments will be released as soon as a properly completed report is received;

(b) State auditors, department auditors, or authorized personnel in the course of their duties are refused access to a nursing home or are not provided with existing appropriate records. Payments will be released as soon as such access or records are provided;

(c) A refund in connection with ~~((an annual))~~ a settlement or rate adjustment is not paid by the contractor when due. The amount withheld will be limited to the unpaid amount of the refund; and

(d) Payment for the final thirty days of service under a contract will be held pending final settlement when the contract is terminated.

(2) No payment will be withheld until written notification of the suspension is provided to the contractor, stating the reason therefor.

Sec. 35. Section 67, chapter 177, Laws of 1980 and RCW 74.46.670 are each amended to read as follows:

(1) Each new contractor shall submit a projected budget to the department at least sixty days before its contract will become effective.

(2) The projected budget shall cover the ~~((period to December 31st))~~ contractor's first twelve months of operation from the date the contractor will enter the program. It shall be prepared on forms and in accordance with rules and regulations established by the secretary.

Sec. 36. Section 69, chapter 177, Laws of 1980 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 ~~((audited))~~ cost report, an audit has been completed by the department, and final settlement has been determined, such settlement not to exceed ~~((sixty))~~ ninety days following ~~((submission of the final audited cost report))~~ 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) 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.

Sec. 37. Section 71, chapter 177, Laws of 1980 and RCW 74.46.710 are each amended to read as follows:

(1) The contractor shall maintain a subsidiary ledger with an account for each recipient for whom the contractor has money in trust.

(2) Each account and related supporting records shall:

(a) Be kept current;

(b) Be balanced each month; and

(c) Show in detail, with supporting verification, all moneys received on behalf of the recipient and the disposition of all moneys so received.

(3) Records of each account shall be available for audit pursuant to ~~((RCW 74.46.140))~~ section 5 of this 1983 act and shall be retained for a minimum of four years. When an account has attained the maximum limit established by rules and regulations promulgated by the secretary, the contractor will notify the department within five days.

(4) Any charge for medical services otherwise properly made to a recipient's trust account must be supported by a written denial of such services from the department.

Sec. 38. Section 72, chapter 177, Laws of 1980 and RCW 74.46.720 are each amended to read as follows:

(1) The contractor may maintain a petty cash fund originating from trust moneys of an amount determined by the department which shall be reasonable and necessary for the size of a facility and the needs of the recipients.

(2) Such petty cash fund shall be maintained as an imprest fund. All moneys over and above the trust fund petty cash amount shall be deposited intact, within twenty-four hours, in a trust fund checking account, separate and apart from any other bank account or accounts of the facility or other facilities.

(3) Cash deposits of recipient allowances from any source must be made intact to the trust account within one week from the time that payment of such allowances are received.

(4) Any related bankbooks, bank statements, checkbook, check register, and all voided and canceled checks, shall be made available for audit pursuant to ~~((RCW 74.46.140))~~ section 5 of this 1983 act and shall be retained by the facility for not less than four years.

(5) No service charges for such checking account shall be paid from recipient trust moneys.

(6) The trust account per bank shall be reconciled monthly to the trust account per patient ledgers.

Sec. 39. Section 77, chapter 177, Laws of 1980 and RCW 74.46.770 are each amended to read as follows:

~~((f))~~ (1) If a contractor wishes to contest the way in which a rule or contract provision relating to the prospective cost-related reimbursement system was applied to the contractor by the department, it shall first pursue the administrative review process set forth in RCW 74.46.780.

(2) The administrative review and fair hearing process in RCW 74.46.780 need not be exhausted if a contractor wishes to challenge the legal validity of a statute, rule, or contract provision.

Sec. 40. Section 78, chapter 177, Laws of 1980 and RCW 74.46.780 are each amended to read as follows:

(1) Within thirty days after a contractor is notified of an action or determination it wishes to challenge, the contractor shall request in writing that the secretary review such determination. The request shall be signed by the contractor or the licensed administrator of the facility, shall identify the challenged determination and the date thereof, and shall state as specifically as practicable the grounds for its contention that the determination was erroneous. Copies of any documentation on which the contractor intends to rely to support its position shall be included with the request.

(2) After receiving a request meeting the above criteria, the secretary or his designee will contact the contractor to schedule a conference for the earliest mutually convenient time. The conference shall be scheduled for no later than ~~((thirty))~~ ninety days after a properly completed request is received unless both parties agree in writing to a specified later date.

(3) The contractor and appropriate representatives of the department shall attend the conference. In addition, representatives selected by the contractor may attend and participate. The contractor shall ~~((bring to the conference, or))~~ provide to the department in advance of the conference, any documentation on which it intends to rely to support its contentions. The parties shall clarify and attempt to resolve the issues at the conference. If additional documentation is needed to resolve the issues, a second session of the conference shall be scheduled for not later than thirty days after the initial session unless both parties agree in writing to a specific later date.

(4) A written decision by the secretary will be furnished to the contractor within ~~((thirty))~~ sixty days after the conclusion of the conference. ~~((The secretary shall prepare such decision for the fiscal and other appropriate standing committees of the legislature.))~~

(5) If the contractor desires review of an adverse decision of the secretary, it shall within thirty days following receipt of such decision request a fair hearing in writing in accordance with the provisions of chapter 34.04 RCW. A request for fair hearing shall satisfy the criteria for a review request as set forth in subsection (1) of this section.

Sec. 41. Section 82, chapter 177, Laws of 1980 and RCW 74.46.820 are each amended to read as follows:

(1) Cost reports and their final audit reports ~~((with any accompanying schedule of questioned costs submitted to the secretary))~~ shall be subject to public disclosure pursuant to the requirements of chapter 42.17 RCW. Notwithstanding any other provision of law, financial statements and any accompanying schedules summarizing the adjustments to a contractor's financial records, reports on review of internal control and accounting procedures, and letters of comments or recommendations relating to suggested improvements in internal control or accounting procedures which are prepared pursuant to the requirements of this chapter shall be exempt from public disclosure.

(2) Regardless of whether any document or report submitted to the secretary pursuant to this chapter is subject to public disclosure, copies of such documents or reports shall be provided by the secretary, upon written request, to the legislature and to state agencies or state or local law enforcement officials who have an official interest in the contents thereof.

Sec. 42. Section 92, chapter 177, Laws of 1980 and RCW 74.46.840 are each amended to read as follows:

If any part of this ~~((act))~~ chapter and RCW 18.51.145 and 74.09.120 is found by an agency of the federal government to be in conflict with federal requirements which are a prescribed condition to the receipts of federal funds to the state, the conflicting part of this ~~((act))~~ chapter and RCW 18.51.145 and 74.09.120 is hereby declared inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and such finding or determination shall not affect the operation of the remainder of this ~~((act))~~ chapter and RCW 18.51.145 and 74.09.120 in its application to the agencies concerned. In the event that any portion of this ~~((act))~~ chapter and RCW 18.51.145 and 74.09.120 is found to be in conflict with federal requirements which are a prescribed condition to the receipt of federal funds, the secretary, to the extent that the secretary finds it to be consistent with the general policies and intent of ~~((this))~~ chapters 18.51, 74.09, and 74.46 RCW, may adopt such rules as to resolve a specific conflict and which do meet minimum federal requirements. In addition, the secretary shall submit to the next regular session of the legislature a summary of the specific rule changes made and recommendations for statutory resolution of the conflict.

NEW SECTION. Sec. 43. There is added to chapter 74.46 RCW a new section 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. 44. Section 74.09.120, chapter 26, Laws of 1959 as last amended by section 6, chapter 11, Laws of 1981 2nd ex. sess. and RCW 74.09.120 are each amended to read as follows:

The department shall purchase necessary physician and dentist services by contract or "fee for service." The department shall purchase hospital care by contract or by all inclusive day rate, or at a reasonable cost based on a ratio of charges to cost. Any hospital when requested by the department shall supply such information as necessary to justify its rate, charges or costs. All additional services provided by the hospital shall be purchased at rates established by the department after consultation with the hospital. The department shall purchase nursing home care by contract. The department shall establish regulations for reasonable nursing home accounting and reimbursement systems which ~~((comply with RCW 74.09.610. The regulations))~~ shall provide that no payment shall be made to a nursing home which does not permit inspection by the department of social and health services of every part of its premises and an examination of all records, including financial records, methods of administration, general and special dietary programs, the disbursement of drugs and methods of supply, and any other records the department deems relevant to the establishment of such a system.

All other services and supplies provided under the program shall be secured by contract.

The department may purchase care in institutions for the mentally retarded, also known as intermediate care facilities for the mentally retarded. The department shall ~~((develop))~~ establish rules for reasonable accounting and reimbursement systems for such care ~~((and report such rules to the next regular session of the legislature for review prior to implementation))~~. Institutions for the mentally retarded include licensed nursing homes, public institutions, licensed boarding homes with fifteen beds or less, and hospital facilities certified as intermediate care facilities for the mentally retarded under the federal medicaid program to provide health, habilitative, or rehabilitative services and twenty-four hour supervision for mentally

retarded individuals or persons with related conditions and includes in the program "active treatment" as federally defined.

Sec. 45. Section 16, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.145 are each amended to read as follows:

Inspections of nursing homes by local authorities shall be consistent with the requirements of chapter 19.27 RCW, the state building code. Findings of a serious nature shall be coordinated with the department and the state fire marshal for determination of appropriate actions to ensure a safe environment for nursing home residents. The state fire marshal shall have exclusive authority to determine appropriate corrective action under this section.

**NEW SECTION.** Sec. 46. (1) In administering the nursing home payment system under chapter 74.09 RCW, the department of social and health services shall calculate preliminary settlements for the 1978 and 1979 cost reporting periods. The preliminary settlements shall be computed by comparing the rates paid to a contractor with that contractor's reported or audited allowable costs, as available. For 1978 reporting periods, the department shall on preliminary settlements permit providers the option of: (a) Retaining cost savings in the administration and operations and property cost centers as computed according to department regulations in effect for 1978; or (b) receiving a return on owner's net invested equity as computed according to procedures established by the department. For 1979 reporting periods, pending final disposition of litigation concerning retention of cost savings in the administration and operations and property cost centers for June 1979, the department shall not recover such cost savings for the calendar year.

(2) Contractors shall make repayment of overpayments identified through this process within thirty days of receipt of written notice from the department of the amount of overpayments.

(3) Where deemed appropriate by the department, repayment of overpayments may be made according to a schedule determined by the department.

(4) Failure on the part of a nursing home contractor to tender payment due in full within thirty days after notice is received from the department shall render the contractor liable for the payment of interest to the department at the rate of one percent per month for any unpaid balance from thirty days after the date of notification until payment in full is received by the department. Liability for interest payments under this subsection shall remain in effect whether a contractor is in default of repayment or is making repayment according to a schedule determined by the department in lieu of payment in full upon notification of payment due.

(5) Unless payment due from a nursing home contractor is received in full within thirty days after notification from the department or unless principal and interest payments are received according to a schedule determined by the department, recoupment from current reimbursement payments due a contractor in default will commence according to a schedule determined by the department.

(6) Interest expense incurred by a contractor in making repayment of overpayments for 1978 and 1979 reporting periods shall not be reimbursable by the state as an allowable cost.

(7) Nothing in this section prejudices the rights of contractors or the department regarding audit adjustments or revised settlements which may be promulgated by the department from time to time in individual contractor cases.

**NEW SECTION.** Sec. 47. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.550;
- (2) Section 2, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.560;
- (3) Section 3, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.570;
- (4) Section 4, chapter 260, Laws of 1977 ex. sess., section 2, chapter 2, Laws of 1981 1st ex. sess., section 7, chapter 11, Laws of 1981 2nd ex. sess. and RCW 74.09.580;
- (5) Section 1, chapter 2, Laws of 1981 1st ex. sess., section 8, chapter 11, Laws of 1981 2nd ex. sess., section 2, chapter 19, Laws of 1982 1st ex. sess., section 1, chapter 1, Laws of 1982 2nd ex. sess. and RCW 74.09.610;
- (6) Section 5, chapter 19, Laws of 1982 1st ex. sess. and RCW 74.09.620;
- (7) Section 11, chapter 177, Laws of 1980 and RCW 74.46.110;
- (8) Section 12, chapter 177, Laws of 1980, section 4, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.120;
- (9) Section 14, chapter 177, Laws of 1980 and RCW 74.46.140;
- (10) Section 30, chapter 177, Laws of 1980 and RCW 74.46.300;
- (11) Section 40, chapter 177, Laws of 1980 and RCW 74.46.400;
- (12) Section 48, chapter 177, Laws of 1980 and RCW 74.46.480;
- (13) Section 51, chapter 177, Laws of 1980 and RCW 74.46.510;
- (14) Section 53, chapter 177, Laws of 1980, section 7, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.530;
- (15) Section 81, chapter 177, Laws of 1980, section 8, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.810;
- (16) Section 13, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.850; and
- (17) Section 84, chapter 177, Laws of 1980.

Sec. 48. Section 94, chapter 177, Laws of 1980 as amended by section 10, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.901 are each amended to read as follows:

(1) Sections 2, 7, 83, 85, 86, and 91 of chapter 177, Laws of 1980 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 on April 4, 1980.

(2) Section 27 of chapter 177, Laws of 1980 shall take effect on July 1, 1980.

(3) ~~(Sections 3, 4, 5, 6, 8, 9, 11, and 12 of chapter 177, Laws of 1980 shall take effect on July 1, 1983:~~

~~(4) All other sections of chapter 177, Laws of 1980 shall take effect on July 1, 1984)) All other sections of chapter 74.46 RCW, except those which took effect before July 1, 1983, shall take effect on July 1, 1983, which shall be "the effective date of this act" where that term is used in chapter 177, Laws of 1980.~~

NEW SECTION. Sec. 49. 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 on July 1, 1983."

On page 1, line 1 of the title, after "homes;" strike the remainder of the title and insert "amending section 4, chapter 177, Laws of 1980 and RCW 74.46.040; amending section 6, chapter 177, Laws of 1980 and RCW 74.46.060; amending section 8, chapter 177, Laws of 1980 and RCW 74.46.080; amending section 10, chapter 177, Laws of 1980 and RCW 74.46.100; amending section 13, chapter 177, Laws of 1980 and RCW 74.46.130; amending section 15, chapter 177, Laws of 1980 and RCW 74.46.150; amending section 16, chapter 177, Laws of 1980 and RCW 74.46.160; amending section 17, chapter 177, Laws of 1980 and RCW 74.46.170; amending section 18, chapter 177, Laws of 1980 and RCW 74.46.180; amending section 19, chapter 177, Laws of 1980 and RCW 74.46.190; amending section 27, chapter 177, Laws of 1980 and RCW 74.46.270; amending section 31, chapter 177, Laws of 1980 and RCW 74.46.310; amending section 41, chapter 177, Laws of 1980 and RCW 74.46.410; amending section 42, chapter 177, Laws of 1980 and RCW 74.46.420; amending section 43, chapter 177, Laws of 1980 and RCW 74.46.430; amending section 45, chapter 177, Laws of 1980 and RCW 74.46.450; amending section 46, chapter 177, Laws of 1980 as amended by section 5, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.460; amending section 47, chapter 177, Laws of 1980 and RCW 74.46.470; amending section 49, chapter 177, Laws of 1980 as amended by section 6, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.490; amending section 50, chapter 177, Laws of 1980 and RCW 74.46.500; amending section 55, chapter 177, Laws of 1980 and RCW 74.46.550; amending section 56, chapter 177, Laws of 1980 and RCW 74.46.560; amending section 57, chapter 177, Laws of 1980 and RCW 74.46.570; amending section 58, chapter 177, Laws of 1980 and RCW 74.46.580; amending section 61, chapter 177, Laws of 1980 and RCW 74.46.610; amending section 64, chapter 177, Laws of 1980 and RCW 74.46.640; amending section 67, chapter 177, Laws of 1980 and RCW 74.46.670; amending section 69, chapter 177, Laws of 1980 and RCW 74.46.690; amending section 71, chapter 177, Laws of 1980 and RCW 74.46.710; amending section 72, chapter 177, Laws of 1980 and RCW 74.46.720; amending section 77, chapter 177, Laws of 1980 and RCW 74.46.770; amending section 78, chapter 177, Laws of 1980 and RCW 74.46.780; amending section 82, chapter 177, Laws of 1980 and RCW 74.46.820; amending section 92, chapter 177, Laws of 1980 and RCW 74.46.840; amending section 74.09.120, chapter 26, Laws of 1959 as last amended by section 6, chapter 11, Laws of 1981 2nd ex. sess. and RCW 74.09.120; amending section 16, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.145; amending section 94, chapter 177, Laws of 1980 as amended by section 10, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.901; adding new sections to chapter 74.46 RCW; creating a new section; repealing section 1, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.550; repealing section 2, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.560; repealing section 3, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.570; repealing section 4, chapter 260, Laws of 1977 ex. sess., section 2, chapter 2, Laws of 1981 1st ex. sess., section 7, chapter 11, Laws of 1981 2nd ex. sess. and RCW 74.09.580; repealing section 1, chapter 2, Laws of 1981 1st ex. sess., section 8, chapter 11, Laws of 1981 2nd ex. sess., section 2, chapter 19, Laws of 1982 1st ex. sess., section 1, chapter 1, Laws of 1982 2nd ex. sess. and RCW 74.09.610; repealing section 5, chapter 19, Laws of 1982 1st ex. sess. and RCW 74.09.620; repealing section 11, chapter 177, Laws of 1980 and RCW 74.46.110; repealing section 12, chapter 177, Laws of 1980, section 4, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.120; repealing section 14, chapter 177, Laws of 1980 and RCW 74.46.140; repealing section 30, chapter 177, Laws of 1980 and RCW 74.46.300; repealing section 40, chapter 177, Laws of 1980 and RCW 74.46.400; repealing section 48, chapter 177, Laws of 1980 and RCW 74.46.480; repealing section 51, chapter 177, Laws of 1980 and RCW 74.46.510; repealing section 53, chapter 177, Laws of 1980, section 7, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.530; repealing section 81, chapter 177, Laws of 1980, section 8, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.810; repealing section 13, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.850; repealing section 84, chapter 177, Laws of 1980; providing an effective date; providing expiration dates; and declaring an emergency."

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## MOTION

On motion of Senator Fleming, the Senate did not concur in the House amendments to Engrossed Substitute Senate Bill No. 3780 and asks the House to recede therefrom.

## SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 120.

## MOTION

At 5:30 p.m., on motion of Senator Shinpoch, the Senate recessed until 7:30 p.m.

## EVENING SESSION

The Senate was called to order at 7:30 p.m. by President Cherberg.

## MOTION

At 7:30 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 8:09 p.m.

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

## CONFIRMATION OF GUBERNATORIAL APPOINTMENT

## MOTION

On motion of Senator Gaspard, the appointment of Philip S. Hayes as a member of the State Board for Community College Education was confirmed.

## APPOINTMENT OF PHILIP S. HAYES

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 42; absent, 7.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Shinpoch, Talmadge, Vogniid, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 42.

Absent: Senators Deccio, Hemstad, Pullen, Rasmussen, Rinehart, Sellar, Thompson - 7.

There being no objection, the President returned the Senate to the fourth order of business.

## MESSAGES FROM THE HOUSE

May 24, 1983

Mr. President:

The Speaker has signed:

SENATE BILL NO. 3858, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 24, 1983

Mr. President:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 240,

HOUSE BILL NO. 588,

SUBSTITUTE HOUSE BILL NO. 712, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE HOUSE BILL NO. 240,

HOUSE BILL NO. 588,

SUBSTITUTE HOUSE BILL NO. 712.

## SIGNED BY THE PRESIDENT

The President signed:  
SENATE CONCURRENT RESOLUTION NO. 130.

## MESSAGE FROM THE HOUSE

May 24, 1983

Mr. President:

The House refuses to concur in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 466 and asks the Senate to recede therefrom, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## MOTION

Senator McDermott moved that the Senate insist on its position and asks the House to concur in the Senate amendments to Engrossed Substitute House Bill No. 466.

Debate ensued.

## MOTION

Senator Bottiger moved that the Senate do recede from its amendments to Engrossed Substitute House Bill No. 466.

Debate ensued.

Senator Quigg demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Bottiger to recede from the Senate amendments to Engrossed Substitute House Bill No. 466.

## ROLL CALL

The Secretary called the roll and the motion by Senator Bottiger carried and the Senate receded from the amendments by the following vote: Yeas, 34; nays, 14; absent, 1.

Voting yea: Senators Barr, Bauer, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fuller, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Sellar, Thompson, von Reichbauer, Woody, Zimmerman - 34.

Voting nay: Senators Bender, Fleming, Gaspard, Hughes, Hurley, McDermott, Rasmussen, Rinehart, Shipoch, Talmadge, Vognild, Warnke, Williams, Wojahn - 14.

Absent: Senator Pullen - 1.

## MOTION

On motion of Senator Zimmerman, Senator Pullen was excused.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 466, without the Senate amendments.

Debate ensued.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute House Bill No. 466, without the Senate amendments, and the bill failed to pass the Senate by the following vote: Yeas, 18; nays, 29; absent, 1; excused, 1.

Voting yea: Senators Bender, Bluechel, Bottiger, Conner, Craswell, Gaspard, Goltz, Granlund, McManus, Metcalf, Moore, Peterson, Rinehart, Shipoch, Talmadge, Thompson, Warnke, Woody - 18.

Voting nay: Senators Barr, Bauer, Benitz, Clarke, Deccio, Fleming, Fuller, Guess, Haley, Hansen, Hayner, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, Newhouse, Owen, Patterson, Quigg, Rasmussen, Sellar, Vognild, von Reichbauer, Williams, Wojahn, Zimmerman - 29.

Absent: Senator Hemstad - 1.

Excused: Senator Pullen - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 466, without the Senate amendments, having failed to receive the constitutional majority, was declared lost.



## MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Vognild moved that the Senate immediately reconsider the vote by which Engrossed Substitute House Bill No. 466, without the Senate amendments, failed to pass the Senate.

Debate ensued.

## MOTION

On motion of Senator Bottiger, further consideration on Engrossed Substitute House Bill No. 466 was deferred.

## MESSAGE FROM THE HOUSE

May 24, 1983

Mr. President:

The House refuses to concur in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 983 and asks the Senate to recede therefrom, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## MOTION

Senator Bottiger moved that the Senate recede from the amendments to Engrossed Substitute House Bill No. 983.

Debate ensued.

Senator Bottiger demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Bottiger that the Senate recede from the amendments to Engrossed Substitute House Bill No. 983.

## ROLL CALL

The Secretary called the roll and the motion by Senator Bottiger failed and the Senate did not recede from the amendments by the following vote: Yeas, 12; nays, 36; excused, 1.

Voting yea: Senators Bauer, Bluechel, Bottiger, Clarke, Fuller, Gaspard, Hemstad, Hurley, Owen, Warnke, Wojahn, Woody - 12.

Voting nay: Senators Barr, Bender, Benitz, Conner, Craswell, Deccio, Fleming, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hughes, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shipoch, Talmadge, Thompson, Vognild, von Reichbauer, Williams, Zimmerman - 36.

Excused: Senator Pullen - 1.

## MOTION

On motion of Senator Hansen, the Senate insisted on its position and asks the House to concur in the Senate amendments to Engrossed Substitute House Bill No. 983.

There being no objection, the President reverted the Senate to the first order of business.

## REPORT OF STANDING COMMITTEE

May 7, 1983

E2SHB 245 Prime Sponsor, Representative J. King: Modifying provisions relating to economic development. Reported by Committee on Ways and Means

MAJORITY recommendation: Do pass as amended. Signed by Senators McDermott, Chairman; Gaspard, Vice Chairman, Bauer, Bluechel, Bottiger, Fleming, Talmadge, Thompson, Warnke, Woody, Zimmerman.

## MOTION

On motion of Senator McDermott, the rules were suspended, Engrossed Second Substitute House Bill No. 245 was advanced to second reading and read the second time.

## MOTIONS

On motion of Senator McDermott, the following Committee on Ways and Means amendment was adopted:

On page 4, line 30, after "board." strike the remainder of the bill.

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

On page 4, after line 30, insert the following:

"Sec. 6. Section 8, chapter 40, Laws of 1982 1st ex. sess. 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 all moneys collected under this chapter and any moneys appropriated to it by law: PROVIDED, That seventy-five percent of all principal and interest payments on loans made with the proceeds deposited in the fund under section 901, chapter ... (ESHB 55), 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.... (section 1, chapter ... (ESHB 57), Laws of 1983 1st ex. sess.) (~~(Funds remaining in any accounts created under RCW 43.31A-320 shall be automatically transferred to the public facilities construction loan revolving fund when the economic assistance authority is terminated.)~~) 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."

Renumber the sections consecutively.

## MOTIONS

On motion of Senator McDermott, the following title amendments were considered and adopted simultaneously:

On page 1, line 6 of the title, after "43.160.070:" insert "amending section 8, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.080:"

On page 1, line 6, after "43.160 RCW", strike "; and making an appropriation

On motion of Senator McDermott, the rules were suspended, Engrossed Second Substitute House Bill No. 245, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Second Substitute House Bill No. 245, as amended by the Senate.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Second Substitute House Bill No. 245, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 32; nays, 16; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Conner, Fleming, Fuller, Gaspard, Goltz, Granlund, Haley, Hansen, Jones, Kiskaddon, McDermott, McManus, Moore, Paterson, Peterson, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognilid, Wanke, Williams, Wojahn, Woody, Zimmerman - 32.

Voting nay: Senators Benitz, Clarke, Craswell, Deccio, Guess, Hayner, Hemstad, Hughes, Hurley, Lee, McCaslin, Metcalf, Newhouse, Owen, Quigg, von Reichbauer - 16.

Excused: Senator Pullen - 1.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 245, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SIGNED BY THE PRESIDENT

The President signed:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127.

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

## CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

## MOTION

On motion of Senator Gaspard, the appointment of Cynthia Maisel as a member of the Council for Postsecondary Education was confirmed.

## APPOINTMENT OF CYNTHIA MAISEL

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 39; absent, 9; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bluechel, Clarke, Conner, Craswell, Fuller, Gaspard, Goltz, Granlund, Guess, Hansen, Hayner, Hughes, Hurley, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Zimmerman - 39.

Absent: Senators Bottiger, Deccio, Fleming, Haley, Hemstad, Jones, Kiskaddon, Rinehart, Woody - 9.

Excused: Senator Pullen - 1.

## MOTION

On motion of Senator Gaspard, the appointment of Majel A. Wilson as a member of the Board of Trustees for Edmonds Community College District No. 23 was confirmed.

## APPOINTMENT OF MAJEL A. WILSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 43; absent, 5; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Clarke, Conner, Craswell, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 43.

Absent: Senators Benitz, Bottiger, Deccio, Fleming, Hurley - 5.

Excused: Senator Pullen - 1.

## MOTION

On motion of Senator Shinpoch, the Senate advanced to the eighth order of business.

## MOTION

On motion of Senator Goltz, the following resolution was adopted:

## SENATE RESOLUTION 1983-111

By Senators Goltz, Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody and Zimmerman; Lieutenant Governor John A. Cherberg; Sid Snyder, Secretary of the Senate; Bill Gleason, Assistant Secretary of the Senate and Ole Scarpelli, Sergeant at Arms

WHEREAS, The Province of British Columbia and the City of Vancouver, B.C., will host EXPO 86, a world-class fair between May and October, 1986; and

WHEREAS, The United States of America and the State of Washington will be participants in this event of world-wide significance; and

WHEREAS, The border crossing at Blaine, Washington will be a primary crossing point for visitors coming and going to and from EXPO 86, symbolic of its theme: "Man in Motion, Transportation and Communication"; and

WHEREAS, The Peace Arch at the Blaine border crossing has stood for many years as another symbol -- that of 168 years of trust and peace between "children of a common mother"; and

WHEREAS, The Bellingham Stamp Club has designed a stamp proposal to the United States Postal System in Washington, D.C. to commemorate this open border as the "Gateway to EXPO 86";

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate endorses the postage stamp proposal and recommends to the Citizens Stamp Advisory Committee that such a stamp be issued to commemorate EXPO 86 and to reaffirm our pledge that the Peace Arch gates at Blaine, Washington shall never be closed; and

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the Citizens Stamp Advisory Committee, United States Postal Service, c/o Stamp Development Board, 475 L-Enfant Plaza S.W., Washington, D.C. 20260, and to each member of the Washington State Congressional Delegation, and to the officials of EXPO 86.

#### MOTION

On motion of Senator Goltz, all members and the Lieutenant Governor will be added as additional sponsors of Senate Resolution 1983-111.

#### MOTION

Senator McDermott moved that the Committee on Rules be relieved of further consideration of Engrossed Substitute House Bill No. 605 and that the rules be suspended and the bill be advanced to second reading.

Debate ensued.

#### POINT OF INQUIRY

Senator Goltz: "Senator McDermott, I am referring to section 8 of the bill, where there is a reappropriation of \$93,750,000 to carry on the purposes of this chapter and the question is--if this bill does not pass or more precisely if a reappropriation is not made, what effect does that have upon the planning design and construction of the center?"

Senator McDermott: "Senator Goltz, I have not spoken to the chairman of the convention center board, Mr. Carins, directly but it's been reported to me that it is his intention to close down the project because there will be no money to operate. They need this appropriation to continue the planning process and doing the environmental impact statement and the other parts of the site preparation that will be necessary to begin the project, so to the best of my understanding, if this bill does not pass, the project will wait for six months until we come back in January."

Senator Goltz: "A further question, Senator McDermott, to the best of your knowledge, are there any contracts with architectural engineers at the present time which are dependent upon the reappropriation?"

Senator McDermott: "Senator Goltz, I am not aware of any contracts, but I would admit my knowledge is not complete on this issue."

Further debate ensued.

#### POINT OF INQUIRY

Senator Bluechel: "Senator McDermott, to ask the question as Senator Shinpoch stated, we did not, as usual, reappropriate the funds in either the capital or the general fund budget. What is the effect of not having a no-reappropriation for the bonds? Would this next preclude them from going ahead for this year? Would this stop the project?"

Senator McDermott: "Senator Bluechel, it was my understanding, originally when we wrote the state budget, there was an appropriation in it for the convention center. It was taken out because the appropriation was in House Bill 605, and it is my understanding that if there is no appropriation made, they have no funds with which to operate for the next six months--until we get back here in January."

Further debate ensued.

Senator Shinpoch demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator McDermott to relieve the Committee on Rules of further consideration of Engrossed Substitute House Bill No. 605 and that the bill be advanced to second reading.

#### ROLL CALL

The Secretary called the roll and the motion by Senator McDermott to relieve the Committee on Rules of further consideration of Engrossed Substitute House Bill No. 605 failed by the following vote: Yeas, 22; nays, 24; absent, 2; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Clarke, Fleming, Fuller, Guess, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, McManus, Moore, Quigg, von Reichbauer, Williams, Zimmerman - 22.

Voting nay: Senators Benitz, Bottiger, Conner, Craswell, Deccio, Gaspard, Goltz, Granlund, Haley, Hansen, McCaslin, Metcalf, Newhouse, Owen, Patterson, Peterson, Rasmussen, Rinehart, Sellar, Shinpoch, Thompson, Vognil, Wojahn, Woody - 24.

Absent: Senators Talmadge, Warnke - 2.

Excused: Senator Pullen - 1.

### MOTION

Senator Granlund moved that the following resolution be adopted:

#### SENATE RESOLUTION 1983-113

By Senators Granlund, Talmadge, Owen and McDermott

WHEREAS, There is a need for community-based adult correctional centers for the housing and rehabilitation of persons who have been convicted of crimes but who, in the judgment of the courts and appropriate corrections personnel, can best be rehabilitated without substantial danger to the community in local community facilities rather than in state correctional institutions; and

WHEREAS, The sentencing guidelines enacted in chapter 115, Laws of 1983, will require judges to give priority to available alternatives to total confinement; and

WHEREAS, There is a need for less costly alternatives to incarceration in local jails for certain nonviolent offenders; and

WHEREAS, The sentencing guidelines will have an as yet undetermined impact on local jails, which could be alleviated by the increased use of community correctional facilities; and

WHEREAS, There is a need for community-based facilities to super-vise persons granted early release into the community under chapter 228, Laws of 1982; and

WHEREAS, The citizens of the state must be assured that community correctional facilities will be effective in ensuring cost-effective and successful correctional efforts for persons who have been convicted of crimes, while maximizing public safety and control; and

WHEREAS, The state must explore means to enable localities to develop, establish, and maintain community-based corrections programs for the detention or confinement, care, and treatment of certain state and local nonviolent offenders who require less than institutional custody but more than probation supervision;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That the Senate Institutions Committee and the Senate Ways and Means Committee jointly undertake, in cooperation with relevant state agencies and local officials, a study of the need for legislation relating to the establishment of a community corrections program; and

BE IT FURTHER RESOLVED, That this study shall address at least the following:

(1) The types of offenders, state and/or local, to be included in community corrections centers;

(2) The types of programs, such as work release, community services projects, and drug/alcohol treatment, to be included in such centers;

(3) Model legislation from other jurisdictions and problems encountered in implementation;

(4) Successful public and private sector programs in Washington and other states as possible models for community corrections centers;

(5) The relationship between these centers and existing Department of Corrections programs;

(6) The relationship between these centers and existing local public and private sector programs;

(7) Procedures for remanding unsuccessful state prisoners into state correctional facilities and unsuccessful prisoners into local jails;

(8) The potential number of inmates from state correctional facilities who might be placed in such centers as an alternative to jails; and

(9) The potential costs of such centers; and

BE IT FURTHER RESOLVED, That the results and recommendations of the joint study and any proposed legislation therefrom be reported to the Legislature no later than January 1, 1984.

#### POINT OF INQUIRY

Senator Deccio: "Senator Granlund, the way I read the resolution there is a need for community-based adult corrections centers for the housing through rehabilitation, et cetera. Would you explain exactly what you mean in terms of what those are going to be?"

Senator Granlund: "Senator Deccio, many people think that community-based centers or community-based corrections is a mechanism to save the state money--to bring our standards closer to their community and their family--and to have some shared responsibility with the local community, and we certainly don't know what the impact of the sentencing guidelines commission bill is going to be on local jails. This is something where we certainly can't put our heads in the sand and say that there is not going to be a need for this type of corrections."

Senator Deccio: "May I continue, Mr. President? Senator Granlund, are these community-based correction centers--these will be correctional facilities spread around the state close to the communities where the prisoners would come from?"

Senator Granlund: "This is precisely what we intend to study."

Further debate ensued.

The President declared the question before the Senate to be adoption of Senate Resolution 1983-113.

The motion by Senator Granlund carried on a rising vote and Senate Resolution 1983-113 was adopted.

#### MOTION

On motion of Senator Talmadge, the following resolution was adopted:

#### SENATE RESOLUTION 1983-115

By Senators Talmadge and Hughes

WHEREAS, Seattle-First National Bank suffered staggering losses in 1982 and in the first quarter of this year; and

WHEREAS, A bank failure of Seattle-First may have been narrowly avoided by the proposed sale of the bank to the Bank of America; and

WHEREAS, These occurrences led to the passage of Senate Bill No. 3182, which significantly changed Washington state banking laws and authorized this sale; and

WHEREAS, The circumstances surrounding the bank's troubles and the passage of Senate Bill No. 3182 raised many questions which were never adequately addressed;

NOW, THEREFORE, BE IT RESOLVED, That there is hereby created a Senate select committee on the Seattle-First National Bank crisis to investigate the causes of and all circumstances surrounding the sale or potential sale of Seattle-First National Bank. The committee shall consist of six members, not more than three members shall be from the same political party and shall be appointed by the President of the Senate; and

BE IT FURTHER RESOLVED, That the committee shall have the powers of subpoena pursuant to Senate rule 43 and shall report its findings to the legislature by March 1, 1984.

There being no objection, the President returned the Senate to the fourth order of business.

#### MESSAGES FROM THE HOUSE

May 24, 1983

Mr. President:

The House concurred in the Senate amendment to REENGROSSED SUBSTITUTE HOUSE BILL NO. 57 and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

May 24, 1983

Mr. President:  
The House had adopted ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 24, 1983

Mr. President:  
The Speaker has signed:  
SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 120, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 24, 1983

Mr. President:  
The Speaker has signed:  
SENATE CONCURRENT RESOLUTION NO. 127, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 24, 1983

Mr. President:  
The Speaker has signed:  
SENATE CONCURRENT RESOLUTION NO. 130, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 24, 1983

Mr. President:  
The Speaker has signed:  
SUBSTITUTE HOUSE BILL NO. 72, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

SIGNED BY THE PRESIDENT

The President signed:  
SUBSTITUTE HOUSE BILL NO. 72.

## MOTION

At 9:39 p.m., on motion of Senator Shinpoch, the Senate recessed until 10:00 p.m.

## SECOND EVENING SESSION

The President called the Senate to order at 10:30 p.m.

## MESSAGE FROM THE HOUSE

May 24, 1983

Mr. President:  
The House has passed SECOND SUBSTITUTE SENATE BILL NO. 4102 with the following amendments:

On page 1, line 14, after "equivalent", insert "and demonstrates achievement of 3.0 grade point average for each academic year."

On page 2, line 6, after "less" insert ", and the total amount of such loans to an eligible student shall not exceed ten thousand dollars"

On page 2, line 26, after "section" insert "shall be pursued using the full extent of the law, including wage garnishment if necessary, and"

On page 3, line 11, add the following new section:

"NEW SECTION, Sec. 4. No loans shall be made after 6 years of the effective date of this act until the program is reviewed by the Legislative Budget Committee and is re-enacted by the Legislature."

Renumber the remaining sections consecutively and correct internal references accordingly

On page 3, line 16, after "act." insert "No more than fifty thousand dollars may be used for administrative costs by the council for postsecondary education."

On page 3, line 21, strike "3" and insert "4".

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

Senator Gaspard moved that the Senate do concur in the House amendments to Second Substitute Senate Bill No. 4102.

#### POINT OF INQUIRY

Senator Patterson: "Senator Gaspard, you expressed the thought that there was one of them you didn't care for too much. Could you elaborate a little bit on which one that bothers you?"

Senator Gaspard: "To my knowledge, the first amendment requires a 3.0 grade point average. We have no other loan program offered either on the state level or even on the federal level that I am aware of in this fashion that calls for a grade point average. That's the one that I think is inconsistent with what our policies have been, at least that I know of what state loans have been."

Senator Patterson: "Then, if this amendment prevails, in the event you get someone in the program for two years and then they falter a bit and fall below a 3 point for one year--or is that accumulative as you read it--a 3 point average?"

Senator Gaspard: "In reading the language, I can only say that for the language in front of me, because I wasn't there for the House discussion on the bill for this amendment, but it is for each academic year--so it would be contingent upon year after year."

Senator Patterson: "So one year you might be 2.5 and the next you go 3.5--your 3 point average over each year would prevail?"

Senator Gaspard: "I would hope it could be interpreted that way."

Senator Patterson: "I just thought we ought to get that into the question and answer."

Senator Gaspard: "In that case, I agree."

Senator Patterson: "Thank you."

The President declared the question before the Senate to be the motion by Senator Gaspard to concur in the House amendments to Second Substitute Senate Bill No. 4102.

The motion by Senator Gaspard carried and the Senate concurred in the House amendments to Second Substitute Senate Bill No. 4102.

The President declared the question before the Senate to be the roll call on final passage of Second Substitute Senate Bill No. 4102, as amended by the House.

#### ROLL CALL

The Secretary called the roll on final passage of Second Substitute Senate Bill No. 4102, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 44; absent, 4; excused, 1.

Voting yeas: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Meicall, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shinoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 44.

Absent: Senators Craswell, Deccio, Fleming, Hayner - 4.

Excused: Senator Pullen - 1.

SECOND SUBSTITUTE SENATE BILL NO. 4102, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Vognild, the Senate resumed consideration of Engrossed Substitute House Bill No. 466, and his motion for reconsideration of the vote by which the bill, without the Senate amendments, failed to pass the Senate, deferred earlier today.

The President declared the question before the Senate to be the motion by Senator Vognild to reconsider the vote by which Engrossed Substitute House Bill No. 466, without the Senate amendments, failed to pass the Senate earlier today.



The motion by Senator Vognild carried and the Senate reconsidered Engrossed Substitute House Bill No. 466, without the Senate amendments.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 466, without the Senate amendments, on reconsideration.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute House Bill No. 466, without the Senate amendments, on reconsideration, and the bill passed the Senate by the following vote: Yeas, 31; nays, 17; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Conner, Craswell, Fuller, Gaspard, Goltz, Granlund, Hansen, Hemstad, Hughes, Hurley, Kiskaddon, McDermott, McManus, Moore, Owen, Peterson, Quigg, Rinehart, Shinoch, Talmadge, Thompson, Vognild, Warnke, Williams, Woody, Zimmerman - 31.

Voting nay: Senators Benitz, Clarke, Deccio, Fleming, Guess, Haley, Hayner, Jones, Lee, McCasin, Metcalf, Newhouse, Patterson, Rasmussen, Sellar, von Reichbauer, Wojahn - 17.

Excused: Senator Pullen - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 466, without the Senate amendments, on reconsideration, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE

May 24, 1983

Mr. President:

The House adheres to its position regarding ENGROSSED SUBSTITUTE HOUSE BILL NO. 983 and once again asks the Senate to recede from its amendments, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

Senator McDermott moved that the Senate insist on its position and once again asks the House to concur in the Senate amendments to Engrossed Substitute House Bill No. 983.

#### POINT OF INQUIRY

Senator Guess: "Senator McDermott, you know, even on the best of tennis balls the fuzz wears off. Don't you think the fuzz is about worn off of this one? Shouldn't we just forget it?"

Senator McDermott: "Senator Guess, we're only in first set."

Senator Guess: "First set?"

Senator McDermott: "Yes, I've watched at Wimbledon and they can play five games in an hour, so I am sure we have plenty of time left."

The President declared the question before the Senate to be adoption of the motion by Senator McDermott that the Senate insist on its position and once again asks the House to concur in the Senate amendments to Engrossed House Bill No. 983.

The motion by Senator McDermott carried and the Senate insists on its position in regard to Engrossed Substitute House Bill No. 983.

#### MESSAGE FROM THE HOUSE

May 24, 1983

Mr. President:

The House has adopted the Report of the Conference Committee on SECOND SUBSTITUTE SENATE BILL NO. 3155 and has granted said committee the powers of Free Conference, and the Report of the Conference Committee is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### REPORT OF CONFERENCE COMMITTEE

May 24, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred, SECOND SUBSTITUTE SENATE BILL NO. 3155, requiring a high technology education training program, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill as follows:

AN ACT Relating to high-technology education and training; adding new sections to chapter 223, Laws of 1969 ex. sess. as a new chapter in Title 28B RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.20 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.30 RCW; creating a new section; repealing section 1, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.130; repealing section 2, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.140; making appropriations; providing an effective date; and declaring an emergency.

NEW SECTION. Sec. 1. This act may be known and cited as the Washington high-technology education and training act.

NEW SECTION. Sec. 2. The legislature finds that:

(1) A coordinated state policy is needed to stimulate the education and training of individuals in high-technology fields, in order to improve productivity, strengthen the state's competitive position, and reindustrialize declining areas;

(2) The Washington high-technology education and training program will give persons from all backgrounds opportunities to pursue training and education programs leading to baccalaureate and graduate degrees consistent with present and future needs of high-technology industries;

(3) Incentives to stimulate increased collaboration between community colleges, regional universities, and the state universities and private-sector industrial, commercial, and labor interests are essential to the development of a pool of skilled high-technology workers; and

(4) Investment in education is the most feasible method for state assistance to the high-technology industry.

NEW SECTION. Sec. 3. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) "Board" means the high-technology coordinating board.

(2) "High technology" or "technology" includes but is not limited to the modernization, miniaturization, integration, and computerization of electronic, hydraulic, pneumatic, laser, mechanical, robotics, nuclear, chemical, telecommunication, and other technological applications to enhance productivity in areas including but not limited to manufacturing, communications, medicine, bioengineering, and commerce.

NEW SECTION. Sec. 4. A Washington state high-technology education and training program is hereby established. The program shall be designed to:

(1) Develop the competence needed to make Washington state a leader in high-technology fields, to increase the productivity of state industries, and to improve the state's competitiveness in regional, national, and international trade;

(2) Develop degree programs to enable students to be productive in new and emerging high-technology fields by using the resources of the state's two-year community colleges, regional universities, the University of Washington, Washington State University, and The Evergreen State College; and

(3) Provide industries in the state with a highly-skilled work force capable of producing, operating, and servicing the advancing technology needed to modernize the state's industries and to revitalize the state's economy.

NEW SECTION. Sec. 5. (1) The Washington high-technology coordinating board is hereby created.

(2) The board shall be composed of fourteen members as follows:

(a) Eight 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 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.

(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.

NEW SECTION. Sec. 6. (1) The board shall oversee and coordinate the high-technology education and training program.

(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 on their findings;

(b) Identify economic areas with high-technology industries in need of technical training critical to economic renewal or economic development and advise the institutions of higher education and the council for postsecondary education 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 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 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 section 9 of this act, 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; 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 program including, but not limited to:

(i) An evaluation of the program;

(ii) A determination of the feasibility of expanding the program; and

(iii) 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.

NEW SECTION. Sec. 7. Staff support for the high-technology coordinating board shall be provided by the council for postsecondary education.

NEW SECTION. Sec. 8. The board may solicit gifts, grants, conveyances, bequests and devises, whether real or personal property, or both, in trust or otherwise, to be directed to institutions of higher education for the use or benefit of the high-technology education and training program. The board shall actively solicit support from business and industry and from the federal government for the high-technology education program.

NEW SECTION. Sec. 9. (1) The high-technology coordinating board shall make recommendations regarding:

(a) The establishment of regional consortiums for the establishment and development of high-technology education and training;

(b) The establishment of baccalaureate degree training programs in high-technology fields; and

(c) The offering of high-technology education and training programs at both community college facilities and at state colleges and regional universities.

(2) If the program is approved, the first two years of the baccalaureate degree program offered by the respective state colleges and regional universities at community college facilities shall be administered and operated by the respective community colleges. The third and fourth years of the baccalaureate degree program offered at the community college facilities shall be administered and operated by the respective state colleges and regional universities. Each community college participating in the program shall offer two-year associate degrees in high-technology fields which shall be transferrable to and accepted by the state colleges and regional universities.

(3) The high-technology coordinating board shall oversee and coordinate the operation of the consortiums.

(4) Any such consortiums shall be implemented upon approval by the high-technology coordinating board: PROVIDED, That if the fiscal impact of any program recommendations exceeds existing resources plus the two hundred fifty thousand dollars appropriated in section 15 of this act, such programs shall require legislative approval.

NEW SECTION. Sec. 10. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.20 RCW a new section to read as follows:

The board of regents of the University of Washington may offer masters level and doctorate level degrees in technology subject to review and approval by the council for postsecondary education.

NEW SECTION. Sec. 11. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.20 RCW a new section to read as follows:

A Washington high-technology center is created at the University of Washington. The Washington high-technology center shall provide: (1) An interdisciplinary program to support major high-technology education and research initiatives within the state; (2) the resources necessary for research and development programs in high technology; (3) quality training for advanced undergraduate and graduate students in high technology; and (4) interdisciplinary approaches to instruction and research in high-technology fields.

The Washington high-technology center shall be administered by the board of regents with the advice of the high-technology coordinating board. The University of Washington shall make the facilities of the Washington high-technology center available to other institutions of higher education when specific program needs so require.

**NEW SECTION.** Sec. 12. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.30 RCW a new section to read as follows:

The board of regents of Washington State University may offer masters level and doctorate level degrees in technology subject to review and approval by the council for postsecondary education.

**NEW SECTION.** Sec. 13. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.30 RCW a new section to read as follows:

The board of regents of Washington State University, in cooperation with the board of trustees of Clark Community College, is hereby authorized to establish a Southwest Washington joint center for education to provide graduate and continuing education in high-technology fields to the citizens of the Southwest Washington area. The Southwest Washington joint center for education shall be administered by Washington State University with the advice of the high-technology coordinating board. Washington State University shall make the facilities of the Southwest Washington joint center for education available to other institutions of higher education when specific program needs so require.

**NEW SECTION.** Sec. 14. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.30 RCW a new section to read as follows:

The board of regents of Washington State University is hereby authorized to establish a state-wide off-campus telecommunications system to provide for graduate and continuing education in high-technology fields to citizens of the state of Washington. The state-wide telecommunications system shall be administered by Washington State University with the advice of the high-technology coordinating board. Washington State University shall make the facilities of the state-wide telecommunications system available to other institutions of higher education when specific program needs so require.

**NEW SECTION.** Sec. 15. The following amounts, or so much thereof as may be necessary, are appropriated from the general fund for the biennium ending June 30, 1985:

(1) \$1,589,000 is appropriated to the University of Washington for specialized technology educational programs and for planning for a permanent center for technology to be located in the Seattle area pursuant to section 11 of this act. No more than \$200,000 of this appropriation shall be expended for planning for a permanent center for technology. It is the intent of the legislature that all program requirements and a plan for ongoing maintenance, operations and provision of equipment using public and private sources be developed prior to consideration of physical space requirements. To this end, a plan detailing such program requirements shall be provided to the council for postsecondary education prior to expenditure of moneys on physical plant planning.

(2) \$1,000,000 is appropriated to Washington State University to provide for administrative support and specialized technology education programs at the Southwest Washington Joint Center for education under section 13 of this act.

(3) \$1,496,000 is appropriated to Washington State University for the purposes of the state-wide off-campus telecommunications system under section 14 of this act.

(4) \$320,000 is appropriated to the University of Washington to provide telecommunications services in conjunction with the state-wide off-campus telecommunications system under section 14 of this act.

(5) \$3,500,000 is appropriated to the state board for community college education to establish demonstration programs for training technicians needed by industries most affected by rapid technological change. To this end, the board shall select no more than four projects for demonstration purposes. In its selection of demonstration projects, the state board shall consider cooperation and matching efforts with technology development industries as a primary criteria in making final awards. The proposed projects shall be submitted to the high-technology coordinating board for review and comment.

(6) \$2,236,000 is appropriated to the superintendent of public instruction to establish the following programs:

(a) \$1,600,000 for the establishment of regional computer demonstration centers in the educational service districts.

(b) \$236,000 to administer and coordinate these technology programs and coordinate regional computer centers. No more than three full time equivalent staff may be added to provide these services.

(c) \$400,000 to contract with the Pacific science center for the purchase of computer, science, and mathematics education services.

(7) \$166,750 is provided to the council for postsecondary education to serve as financial agent for the board and its staff.

(8) \$250,000 is appropriated to the high-technology coordinating board to carry out the purposes of this act.

NEW SECTION, Sec. 16. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.130; and

(2) Section 2, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.140.

NEW SECTION, Sec. 17. Sections 2 through 9 of this act are each added to chapter 223, Laws of 1969 ex. sess. as a new chapter in Title 28B RCW.

NEW SECTION, Sec. 18. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1983.

Signed by: Senators Gaspard, Talmadge and Patterson; Representatives Heck, Sommers and McDonald.

#### MOTION

On motion of Senator Gaspard, the Report of the Conference Committee on Second Substitute Senate Bill No. 3155 was adopted and the powers of Free Conference were granted.

#### MESSAGES FROM THE HOUSE

May 24, 1983

Mr. President:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 57, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 24, 1983

Mr. President:

The House has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 4245, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MESSAGE FROM THE HOUSE

May 24, 1983

Mr. President:

The House has adopted the revised Report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3434, and has granted the committee the powers of Free Conference, and the Report of the Conference Committee is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### REVISED REPORT OF CONFERENCE COMMITTEE

May 24, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred, ENGROSSED SUBSTITUTE SENATE BILL NO. 3434, modifying definition of "member" for gambling enforcement purposes, have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill do pass as revised:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 139, Laws of 1981 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 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 must have not less than fifteen bona fide active members each with the right to an equal vote in the election of the officers, and 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 local 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. 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.

Notwithstanding any other provision of this subsection (14), where any contest of chance is held by or on behalf of in-state retail grocery outlets in connection with business promotions authorized under subsections (d) and (e) hereof, no such in-state retail grocery outlet may conduct more than one such contest of chance during each calendar year and the period of the contest of chance and its promotion shall not extend for more than seven consecutive days; PROVIDED, That if the sponsoring organization has more than one outlet in the state such contests of chance 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 contest of chance in connection with the initial opening of any such outlet; PROVIDED FURTHER, That such contests of chance may be conducted on an ongoing basis if the prizes awarded or accumulated to award do not exceed thirty dollars a day or five thousand dollars a year in the aggregate for all outlets of the sponsoring organizations.

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. 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; and

(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.



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 exemplified 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; 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 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 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, taxes, license fees, and for the purchase cost of prizes given as winnings do not exceed ~~((five))~~ 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 event shall not be held on the premises of a licensee, as defined in RCW 66.20.160, more than four calendar days per calendar month; and (e) 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.

Sec. 2. Section 2, chapter 139, Laws of 1981 and RCW 9.46.030 are each amended to read as follows:

(1) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct bingo games, raffles, amusement games, and fund raising events, and to utilize punch boards and pull-tabs and to allow their premises and facilities to be used by only members ~~((and)), their guests, and members of a chapter or unit organized under the same state, regional, or national charter or constitution,~~ to play social card games authorized by the commission, when licensed, conducted or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(2) Bona fide charitable or bona fide nonprofit organizations organized primarily for purposes other than the conduct of raffles, are hereby authorized to conduct raffles without obtaining a license to do so from the commission when such raffles are held in accordance with all other requirements of chapter 9.46 RCW, other applicable laws, and rules of the commission; when gross revenues from all such raffles held by the organization during the calendar year do not exceed ~~((five))~~ ten thousand dollars; and when tickets to such raffles are sold only to, and winners are determined only from among, the regular members of the organization conducting the raffle: PROVIDED, That the term members for this purpose shall mean only those persons who have become members prior to the commencement of the raffle and whose qualification for membership was not dependent upon, or in any way related to, the purchase of a ticket, or tickets, for such raffles.

(3) Bona fide charitable or bona fide nonprofit organizations organized primarily for purposes other than the conduct of such activities are hereby authorized to conduct bingo, raffles, and amusement games, without obtaining a license to do so from the commission but only when:

(a) Such activities are held in accordance with all other requirements of chapter 9.46 RCW as now or hereafter amended, other applicable laws, and rules of the commission; and

(b) Said activities are, alone or in any combination, conducted no more than twice each calendar year and over a period of no more than twelve consecutive days each time, notwithstanding the limitations of RCW 9.46.020(2) as now or hereafter amended: PROVIDED, That a raffle conducted under this subsection may be conducted for a period longer than twelve days; and

(c) Only bona fide members of that organization, who are not paid for such services, participate in the management or operation of the activities; and

(d) Gross revenues to the organization from all the activities together ((does)) do not exceed ((five)) ten thousand dollars during any calendar year; and

(e) All revenue therefrom, after deducting the cost of prizes and other expenses of the activity, is devoted solely to the purposes for which the organization qualifies as a bona fide charitable or nonprofit organization; and

(f) The organization gives notice at least five days in advance of the conduct of any of the activities to the local police agency of the jurisdiction within which the activities are to be conducted of the organization's intent to conduct the activities, the location of the activities, and the date or dates they will be conducted; and

(g) The organization conducting the activities maintains records for a period of one year from the date of the event which accurately show at a minimum the gross revenue from each activity, details of the expenses of conducting the activities, and details of the uses to which the gross revenue therefrom is put.

(4) The legislature hereby authorizes any person, association or organization operating an established business primarily engaged in the selling of food or drink for consumption on the premises to conduct social card games and to utilize punch boards and pull-tabs as a commercial stimulant to such business when licensed and utilized or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(5) The legislature hereby authorizes any person to conduct or operate amusement games when licensed and operated pursuant to the provisions of this chapter and rules and regulations adopted by the commission at such locations as the commission may authorize.

(6) The legislature hereby authorizes any person, association, or organization to conduct sports pools without a license to do so from the commission but only when the outcome of which is dependent upon the score, or scores, of a certain athletic contest and which is conducted only in the following manner:

(a) A board or piece of paper is divided into one hundred equal squares, each of which constitutes a chance to win in the sports pool and each of which is offered directly to prospective contestants at one dollar or less; and

(b) The purchaser of each chance or square signs his or her name on the face of each square or chance he or she purchases; and

(c) At some time not later than prior to the start of the subject athletic contest the pool is closed and no further chances in the pool are sold; and

(d) After the pool is closed a prospective score is assigned by random drawing to each square; and

(e) All money paid by entrants to enter the pool less taxes is paid out as the prize or prizes to those persons holding squares assigned the winning score or scores from the subject athletic contest; and

(f) The sports pool board is available for inspection by any person purchasing a chance thereon, the commission, or by any law enforcement agency upon demand at all times prior to the payment of the prize; and

(g) The person or organization conducting the pool is conducting no other sports pool on the same athletic event; and

(h) The sports pool conforms to any rules and regulations of the commission applicable thereto.

(7) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct, without the necessity of obtaining a permit or license to do so from the commission, golfing sweepstakes permitting wagers of money, and the same shall not constitute such gambling or lottery as otherwise in this chapter prohibited, or be subject to civil or criminal penalties thereunder, but this only when the outcome of such golfing sweepstakes is dependent upon the score, or scores, or the playing ability, or abilities, of a golfing contest between individual players or teams of such players, conducted in the following manner:

(a) Wagers are placed by buying tickets on any players in a golfing contest to "win", "place" or "show" and those holding tickets on the three winners may receive a payoff similar to the system of betting identified as parimutuel, such moneys placed as wagers to be used primarily as winners proceeds, except moneys used to defray the expenses of such golfing sweepstakes or otherwise used to carry out the purposes of such organization; or

(b) Participants in any golfing contest(s) pay a like sum of money into a common fund on the basis of attaining a stated number of points ascertainable from the score of such participants, and those participants attaining such stated number of points share equally in the moneys in the common fund, without any percentage of such moneys going to the sponsoring organization; and

(c) Participation is limited to members of the sponsoring organization and their bona fide guests.

(8) The legislature hereby authorizes bowling establishments to conduct, without the necessity of obtaining a permit or license to do so, as a commercial stimulant, a bowling activity which permits bowlers to purchase tickets from the establishment for a predetermined and posted amount of money which tickets are then selected by the luck of the draw and the holder of the matching ticket so drawn has an opportunity to bowl a strike and if successful receives a predetermined and posted monetary prize: PROVIDED, That all sums collected by the establishment from the sale of tickets shall be returned to purchasers of tickets and no part of the proceeds shall inure to any person other than the participants winning in the game or a recognized charity. The tickets shall be sold, and accounted for, separately from all other sales of the establishment. The price of any single ticket shall not exceed one dollar. Accounting records shall be available for inspection during business hours by any person purchasing a chance thereon, by the commission or its representatives, or by any law enforcement agency.

(9) (a) The legislature hereby authorizes any bona fide charitable or nonprofit organization which is licensed pursuant to RCW 66.24.400, and its officers and to allow the use of the premises, furnishings, and other facilities not gambling devices of such organization by members of the organization, and members of a chapter or unit organized under the same state, regional, or national charter or constitution, who engage as players in the following types of gambling activities only:

(i) Social card games as defined in RCW 9.46.020(20)(a), (b), (c), and (d); and

(ii) Social dice games, which shall be limited to contests of chance, the outcome of which are determined by one or more rolls of dice.

(b) Bona fide charitable or nonprofit organizations shall not be required to be licensed by the commission in order to allow use of their premises in accordance with this subsection; however, the following conditions must be met:

(i) No organization, corporation, or person shall collect or obtain or charge any percentage of or shall collect or obtain any portion of the money or thing of value wagered or won by any of the players: PROVIDED, That a player may collect his or her winnings; and

(ii) No organization, corporation, or person shall collect or obtain any money or thing of value from, or charge or impose any fee upon, any person which either enables him or her to play or results in or from his or her playing: PROVIDED, That this subparagraph (ii) shall not preclude collection of a membership fee which is unrelated to participation in gambling activities authorized under this subsection.

The penalties provided for professional gambling in this chapter shall not apply to the activities authorized by this section when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations of the commission.

Sec. 3. 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 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 does not discriminate in full membership on the basis of sex and race, and 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))~~ ten 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."

Signed by: Senators Vognild, Sellar and Williams; Representatives Appelwick, Barrett and Niemi.

## MOTION

Senator Vognild moved that the revised Report of the Conference Committee on Engrossed Substitute Senate Bill No. 3434 be adopted and the powers of Free Conference be granted.

## PARLIAMENTARY INQUIRY

Senator Rasmussen: "I have a parliamentary inquiry, Mr. President. Inasmuch as it will be a Free Conference Report, is it required to be laid on the desks for twenty-four hours prior to the adoption?"

## REPLY BY THE PRESIDENT

President Cherberg: "Your point is well taken, Senator. It would require a suspension of the rules."

Senator Rasmussen: "Thank you, Mr. President. I will reserve my raising scope and object and two subjects in one bill until a later period."

The President declared the question before the Senate to be the motion by Senator Vognild to adopt the revised Report of the Conference Committee on Engrossed Substitute Senate Bill No. 3434 and that the powers of free conference be granted.

The motion by Senator Vognild carried and the revised Report of the Conference Committee on Engrossed Substitute Senate Bill No. 3434 was adopted and the powers of free conference were granted.

## MOTION

On motion of Senator Vognild, the revised Report of the Conference Committee on Engrossed Substitute Senate Bill No. 3434 was ordered immediately transmitted to the House.

## MESSAGE FROM THE HOUSE

May 24, 1983

Mr. President:

The House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 245 and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

## SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE HOUSE BILL NO. 57.

## MESSAGE FROM THE HOUSE

May 24, 1983

Mr. President:

The House refuses to recede from its amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3780 and asks for a conference thereon. The Speaker appoints Representatives Brekke, Fiske and Kreidler as conferees.

DEAN R. FOSTER, Chief Clerk

## MOTION

On motion of Senator McDermott, the rules were suspended and Engrossed Substitute Senate Bill No. 3780 was returned to second reading and read the second time.

## MOTION

On motion of Senator McDermott, the following amendment was adopted:  
Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 4, chapter 177, Laws of 1980 and RCW 74.46.040 are each amended to read as follows:

(1) Not later than March 31, 1982, and each year thereafter, each contractor shall submit to the department an annual cost report, and such financial statements as are required by this chapter, for the period from January 1st through December 31st of the preceding year.

(2) 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 (~~after March 31st~~) may be granted by the department upon receipt of a written request setting forth the circumstances which prohibit the contractor from compliance with ~~((such)) 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.

~~((3) Not later than one hundred and twenty days following the termination of a contract, the contractor shall submit to the department a cost report, and such financial statements as are required by this chapter, for the period from January 1st through the date the contract terminated.))~~

Sec. 2. Section 6, chapter 177, Laws of 1980 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 ~~((pursuant to RCW 74.46.070))~~ 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, ~~((such additional regulatory requirements developed pursuant to RCW 74.46.070))~~ 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. 3. Section 8, chapter 177, Laws of 1980 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. The department may direct such records to be retained for a longer period if there remain unresolved questions on the cost reports and financial statements. All such records shall be made available upon demand to authorized representatives of the department, the office of the state auditor, and the United States department of health~~((education))~~ and ~~((welfare))~~ 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. 4. Section 10, chapter 177, Laws of 1980 and RCW 74.46.100 are each amended to read as follows:

The principles inherent within ~~((RCW 74.46.110 through 74.46.140))~~ section 5 of this 1983 act and RCW 74.46.130 are:

(1) To ascertain, through ~~((certified))~~ department audit, that the costs for each year are accurately reported, thereby providing a valid basis for future rate determination;

(2) To ascertain, through ~~((certified))~~ department audits of the cost reports, that cost reports properly reflect the financial statements of the contractor, particularly as they pertain to related organizations and beneficial ownership, thereby providing a valid basis for the determination of return as specified by this chapter;

(3) To ascertain, through ~~((the certified))~~ department audit ~~((and the oversight of the office of the state auditor.))~~ that compliance with the accounting and auditing provisions of this chapter and the rules and regulations of the department as they pertain to these accounting and auditing provisions is proper and consistent; and

(4) To ascertain, through ~~((certified))~~ department audits, that the responsibility of the contractor has been met in the maintenance of patient trust funds.

NEW SECTION. Sec. 5. There is added to chapter 74.46 RCW a new section 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 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.

NEW SECTION. Sec. 6. There is added to chapter 74.46 RCW a new section to read as follows:

The office of the state auditor shall annually review the performance of the department to ensure that departmental audits are conducted in accordance with generally accepted accounting principles and auditing standards.

Sec. 7. Section 13, chapter 177, Laws of 1980 and RCW 74.46.130 are each amended to read as follows:

(1) For the requirements of (~~RCW 74.46.120(1)~~) section 5 of this 1983 act, the contractor shall be notified by the (~~accountant~~) 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, financial statements, and patient trust funds; and

(b) Prepare reconciliation of the cost report and financial statements with (i) applicable federal income and federal and state payroll tax returns and (ii) the records for the period covered by the cost report and financial statements.

(2) (~~For the requirements of RCW 74.46.120(2), the contractor shall provide access to the facility and supply all records as required in subsection (1) of this section.~~) 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. 8. Section 15, chapter 177, Laws of 1980 and RCW 74.46.150 are each amended to read as follows:

(1) For each cost center, payments to contractors shall not exceed the lower of prospective reimbursement rates or audited allowable costs, except as otherwise provided in this chapter.

(2) The settlement process shall consist of:

(a) The evaluation of the proposed preliminary settlement (~~report~~) by cost center contained within the cost report and preparation of the preliminary settlement report;

(b) The evaluation of the audit results, if an audit is conducted, including disallowed costs and preparation of the final settlement report; and

(c) The process of scheduling payment ((as to such)) of underpayments or overpayments determined by preliminary or final settlement.

~~((2)) in:~~

~~(a) Rulings on questioned costs; or~~

~~(b) interpretations resulting in payment of the whole or a portion of a disallowed cost.~~

~~the department shall prepare and maintain such rulings and interpretations with full justification and explanation for the respective contractor and the appropriate standing committees of the legislature;))~~

Sec. 9. Section 16, chapter 177, Laws of 1980 and RCW 74.46.160 are each amended to read as follows:

(1) ~~((Upon))~~ Within one hundred twenty days after receipt of the proposed preliminary settlement ((report)), the department shall verify the accuracy of ((such report)) 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) ~~((Within thirty days))~~ After ((receipt)) completion of the ((audited reports by the secretary)) audit process, including exhaustion or mutual termination of reviews and appeals of audit findings or determinations, the department will submit a ((proposed)) final settlement report by cost center to the contractor which ((rules on questioned costs, and)) fully substantiates disallowed costs, refunds, underpayments, ((and/or)) or adjustments to the ((preliminary settlement)) 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. 10. Section 17, chapter 177, Laws of 1980 and RCW 74.46.170 are each amended to read as follows:

(1) ~~((The settlement will become final))~~ A contractor shall have thirty days after the date the ((proposed)) preliminary or final settlement report is submitted to the contractor ((unless the contractor)) to contest((s the)) a settlement determination under RCW 74.46.780. ((In the event of such action, the contractor has thirty days after the date the proposed final settlement report has been submitted to notify the department of such contesting pursuant to the provisions of RCW 74.46.780.)) After the thirty-day period has expired, a preliminary or final settlement will not be subject to review.

(2) A preliminary settlement report as issued by the department will become the final settlement report if no audit has been scheduled within twelve calendar months following the department's issuance of a preliminary settlement report to the contractor.

(3) A settlement will be reopened if necessary to make adjustments for findings resulting from an audit performed pursuant to ((this chapter)) section 5(4) of this 1983 act.

Sec. 11. Section 18, chapter 177, Laws of 1980 and RCW 74.46.180 are each amended to read as follows:

(1) The state shall make payment of any underpayments within ((fifteen)) thirty days ((of)) after the date the preliminary or final settlement ((becomes final)) report is submitted to the contractor.

(2) ~~((The))~~ A contractor found to have received either overpayments ((and/or)) or erroneous payments under a preliminary or final settlement shall refund such payments to the state within thirty days ((of)) after the date the preliminary or final settlement ((becomes final)) report is submitted to the contractor, subject to the provisions of subsections (3), (4)((-and (5))), and (7) of this section.

(3) Within the cost centers of nursing services and food, all savings resulting from the respective ((audited)) allowable costs being lower than the respective reimbursement rate paid to the contractor during the report period shall be refunded. 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. The secretary, by rule and regulation, shall establish the basis for the specific percentages of savings to the contractors. Such rules and regulations may provide for differences in the percentages allowed for each cost center to individual facilities based on performance measures related to administrative efficiency.

(5) All allowances provided by section 27(2) of this 1983 act and 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 ((shall not)) 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. 12. Section 19, chapter 177, Laws of 1980 and RCW 74.46.190 are each amended to read as follows:

(1) The substance of a transaction will prevail over its form.

(2) All documented costs which are ordinary, necessary, related to care of medical care recipients, and not expressly ~~((nonallowable))~~ unallowable, are to be allowable.

(3) Costs applicable to services, facilities, and supplies furnished to the provider by related organizations are allowable but at the cost to the related organization, provided they do not exceed the price of comparable services, facilities, or supplies that could be purchased elsewhere.

(4) Beginning January 1, 1985, the payment for property usage is to be independent of ownership structure and financing arrangements.

Sec. 13. Section 27, chapter 177, Laws of 1980 and RCW 74.46.270 are each amended to read as follows:

(1) The contractor shall disclose to the department:

(a) The nature and purpose of all costs which represent allocations of joint facility costs; and

(b) The methodology of the allocation utilized.

(2) Such disclosure shall demonstrate that:

(a) The services involved are necessary and nonduplicative; and

(b) Costs are allocated in accordance with benefits received from the resources represented by those costs.

(3) Such disclosure shall be made not later than September 30, 1980, for the following year and not later than September 30th for each year thereafter; except that a new contractor shall submit the first year's disclosure together with the submissions required by RCW 74.46.670. Where a contractor will make neither a change in the joint costs to be incurred nor in the allocation methodology, the contractor may certify that no change will be made in lieu of the disclosure required in subsection (1) of this section.

~~((3))~~ (4) The department shall approve such methodology not later than December 31, 1980, and not later than December 31st for each year thereafter. ~~((Such approval shall include, but not be limited to, the assurance that:~~

~~(a) The services involved are necessary and nonduplicative; and~~

~~(b) Costs are allocated in accordance with benefits received from the resources represented by those costs;~~

~~((4))~~ (5) An approved methodology may be revised or amended subject to approval as provided in ~~((subsection (3) of this section and))~~ rules and regulations adopted by the department.

NEW SECTION. Sec. 14. There is added to chapter 74.46 RCW a new section to read as follows:

(1) This section shall cease to be effective on the effective date of RCW 74.46.530.

(2) The contractor's necessary and ordinary interest for working capital and capital indebtedness will be allowable.

(a) To be necessary, interest must be incurred in connection with a loan which satisfies a financial need of the contractor and be for a purpose related to patient care. Interest expense relating to business opportunity or goodwill will not be allowed.

(b) To be ordinary, interest must be at a rate which is not in excess of what a prudent borrower would have to pay at the time of the loan in an arm's-length transaction in the money market.

(c) Interest expense shall include amortization of bond discounts and expenses related to the bond issue. Amortization shall be over the period from the date of sale to the date of maturity or, if earlier, the date of extinguishment of the bonds.

(3) Interest paid to or for the benefit of a related organization will be allowed only to the extent the interest does not exceed the actual cost to the related organization of obtaining the use of funds in an arm's-length transaction.

(4) In computing allowable costs, interest income from the investment or lending of nonrestricted funds shall be deducted from allowable expense.

(5) Interest income from the investment or lending of restricted funds shall not be deducted from allowable interest expense.

NEW SECTION. Sec. 15. There is added to chapter 74.46 RCW a new section to read as follows:

(1) This section shall cease to be effective on the effective date of RCW 74.46.510 and 74.46.530.

(2) Rental or lease costs of land, building or equipment under arm's-length operating leases or depreciation and interest costs of land, building or equipment under arm's-length leases to be capitalized according to generally accepted accounting principles shall be allowable, to the extent the cost is necessary, ordinary, and related to patient care.

Sec. 16. Section 31, chapter 177, Laws of 1980 and RCW 74.46.310 are each amended to read as follows:

The following costs shall be capitalized:

(1) Expenses for facilities or equipment with historical cost in excess of ~~((five))~~ seven hundred fifty dollars per unit and a useful life of more than one year from the date of purchase; and

(2) Expenses for equipment with historical cost of ~~((five))~~ seven hundred fifty dollars or less per unit if either:

(a) The item was acquired in a group purchase where the total cost exceeded ~~((five))~~ seven hundred fifty dollars; or

(b) The item was part of the initial stock of the facility.

(3) Dollar limits in this section may be adjusted for economic trends and conditions by the department as established by rule and regulation.

Sec. 17. Section 41, chapter 177, Laws of 1980 and RCW 74.46.410 are each amended to read as follows:

(1) Costs will be unallowable if they are not documented, necessary, ordinary, and related to the provision of care services to authorized patients.

(2) Unallowable costs include, but are not limited to, the following:

(a) Costs of items or services not covered by the medical care program. Costs of such items or services will be unallowable even if they are indirectly reimbursed by the department as the result of an authorized reduction in patient contribution;

(b) Costs of services and items provided to recipients which are covered by the department's medical care program but not included in care services established by the department under this ~~((act))~~ chapter;

(c) Costs associated with a capital expenditure subject to section 1122 approval (part 100, Title 42 C.F.R.) if the department found it was not consistent with applicable standards, criteria, or plans. If the department was not given timely notice of a proposed capital expenditure, all associated costs will be unallowable up to the date they are determined to be reimbursable under applicable federal regulations;

(d) Costs associated with a construction or acquisition project requiring certificate of need approval pursuant to chapter 70.38 RCW if such approval was not obtained;

(e) Interest costs other than those provided by RCW 74.46.290 on and after the effective date of RCW 74.46.530;

(f) Salaries or other compensation of owners, officers, directors, stockholders, and others associated with the contractor or home office, except compensation paid for service related to patient care;

(g) Costs in excess of limits or ~~((violating))~~ in violation of principles set forth in this chapter;

(h) Costs resulting from transactions or the application of accounting methods which circumvent the principles of the cost-related reimbursement system set forth in this chapter;

(i) Costs applicable to services, facilities, and supplies furnished by a related organization in excess of the lower of the cost to the related organization or the price of comparable services, facilities, or supplies purchased elsewhere;

(j) Bad debts of non-Title XIX recipients. Bad debts of Title XIX recipients are allowable if the debt is related to covered services, if arises from the recipient's required contribution toward the cost of care, the provider can establish that reasonable collection efforts were made, the debt was actually uncollectible when claimed as worthless, and sound business judgment established that there was no likelihood of recovery at any time in the future;

(k) Charity and courtesy allowances;

(l) Cash, assessments, or other contributions, excluding dues, to charitable organizations, professional organizations, trade associations, or political parties, and costs incurred to improve community or public relations;

(m) Vending machine expenses;

(n) Expenses for barber or beautician services not included in routine care;

- (o) Funeral and burial expenses;
- (p) Costs of gift shop operations and inventory;
- (q) Personal items such as cosmetics, smoking materials, newspapers and magazines, and clothing, except those used in patient activity programs;
- (r) Fund-raising expenses, except those directly related to the patient activity program;
- (s) Penalties and fines;
- (t) Expenses related to telephones, televisions, radios, and similar appliances in patients' private accommodations;
- (u) Federal, state, and other income taxes;
- (v) Costs of special care services except where authorized by the department;
- (w) Expenses of key-man insurance and other insurance or retirement plans not made available to all employees;
- (x) Expenses of profit-sharing plans;
- (y) Expenses related to the purchase and/or use of private or commercial airplanes which are in excess of what a prudent contractor would expend for the ordinary and economic provision of such a transportation need related to patient care;
- (z) Personal expenses and allowances of owners or relatives;
- (aa) All expenses of maintaining professional licenses or membership in professional organizations and association dues or that portion of association dues attributable to membership in national organizations;
- (bb) Costs related to agreements not to compete;
- (cc) Amortization of goodwill;
- (dd) Expenses related to vehicles which are in excess of what a prudent contractor would expend for the ordinary and economic provision of transportation needs related to patient care;
- (ee) Legal and consultant fees in connection with a fair hearing against the department where a decision is rendered in favor of the department or where otherwise the determination of the department stands;
- (ff) Legal and consultant fees of a contractor or contractors in connection with a lawsuit against the department;
- (gg) Lease acquisition costs and other intangibles not related to patient care;
- (hh) All rental or lease costs other than those provided in RCW 74.46.300(~~and~~
- (ii) All audit costs incurred pursuant to RCW 74.46.120(i)) on and after the effective date of RCW 74.46.510 and 74.46.530.

Sec. 18. Section 42, chapter 177, Laws of 1980 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;
- (2) Rates ~~((will be))~~ established ~~((not lower than the level which is reasonably expected to be))~~ in accordance with this chapter shall be reasonable and adequate to ((reimburse in full the actual allowable)) meet the costs ~~((of a facility which is))~~ that must be incurred by economically and efficiently operated ~~((and))~~ facilities to provide ~~((care))~~ services which meet ~~((s))~~ the needs of a medical care recipient in compliance with applicable standards; and
- (3) The rates so established will ~~((take into account))~~ be adjusted for economic conditions and trends ~~((during))~~ in accordance with appropriations made by the legislature as consistent with federal requirements for the period to be covered by such rates.

Sec. 19. Section 43, chapter 177, Laws of 1980 and RCW 74.46.430 are each amended to read as follows:

- (1) The department, as provided by this chapter, will determine prospective cost-related reimbursement rates for services provided to medical care recipients. Each rate so determined shall represent the contractor's maximum compensation within each cost center for each patient day for such medical care recipient.
- (2) As required, the department may modify such maximum per patient day rates pursuant to the administrative review provisions of RCW 74.46.780.
- (3) Until the effective date of RCW 74.46.510 and 74.46.530, the maximum prospective reimbursement rates for the administration and operations and the property cost centers shall be established based upon a minimum facility occupancy level of eighty-five percent.
- (4) On and after the effective date of RCW 74.46.510 and 74.46.530, the maximum prospective reimbursement rates for the administration and operations and the property cost centers and the return on investment allowance shall be established based upon a minimum facility occupancy level of eighty-five percent.

Sec. 20. Section 45, chapter 177, Laws of 1980 and RCW 74.46.450 are each amended to read as follows:

- (1) Prospective reimbursement rates for a new contractor will be established within sixty days following receipt by the department of the properly completed projected budget required by RCW 74.46.670. Such reimbursement rates will become effective as of the effective date of the contract and shall remain in effect until rates can be established under RCW 74.46.460 based on a contractor's cost report including at least six months of cost data.

(2) Such reimbursement rates will be based on the contractor's projected cost of operations (~~((through December 31st of the year the contract becomes effective;))~~) and on costs and payment rates of the prior contractor, if any, ~~((and/or))~~ or of other contractors in comparable circumstances.

(3) If a properly completed budget is not received at least sixty days prior to the effective date of the contract, the department will establish preliminary rates based on the other factors specified in subsection (2) of this section. These preliminary rates will remain in effect until a determination is made pursuant to RCW 74.46.460.

Sec. 21. Section 46, chapter 177, Laws of 1980 as amended by section 5, chapter 2, Laws of 1981 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, 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 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, ~~((1984))~~ 1983, such contractor's prospective rate effective July 1, ~~((1984))~~ 1983, will be determined utilizing ~~((his reported))~~ the contractor's desk-reviewed allowable costs for calendar year ~~((1983))~~ 1982.

(4) All prospective reimbursement rates for ~~((1985))~~ 1984 and thereafter shall be determined utilizing the prior year's ~~((audited))~~ desk-reviewed cost reports.

Sec. 22. Section 47, chapter 177, Laws of 1980 and RCW 74.46.470 are each amended to read as follows:

A contractor's reimbursement rates for medical care recipients will be determined utilizing ~~((audited))~~ desk-reviewed cost report data within the following cost centers:

- (1) Nursing services;
- (2) Food;
- (3) Administration and operations; and
- (4) Property.

NEW SECTION. Sec. 23. There is added to chapter 74.46 RCW a new section 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 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.

NEW SECTION. Sec. 24. There is added to chapter 74.46 RCW a new section to read as follows:

(1) The nursing services cost center shall include all costs related to the direct provision of nursing and related care, including fringe benefits and payroll taxes for the nursing and related care personnel. For rates effective for state fiscal year 1984, the department shall adopt by administrative rule a definition of "related care" which shall incorporate, but not exceed services reimbursable as of June 30, 1983. For rates effective for state fiscal year 1985, the definition of related care shall include ancillary care.

(2) The department shall adopt by administrative rules a method for establishing a nursing services cost center rate consistent with the principles stated in this section.

(3) Utilizing regression or other statistical technique, the department shall determine a reasonable limit on facility nursing staff taking into account facility patient characteristics. For purposes of this section, facility nursing staff refers to registered nurses, licensed practical nurses and nursing assistants employed by the facility or obtained through temporary, labor contract arrangements. In selecting a measure of patient characteristics, the department shall take into account:

- (a) The correlation between alternative measures and facility nursing staff; and

(b) The cost of collecting information for and computation of a measure.

If regression is used, the limit shall be set at predicted nursing staff plus 1.75 regression standard errors. If another statistical method is utilized, the limit shall be set at a level corresponding to 1.75 standard errors above predicted staffing computed according to a regression procedure.

(4) No facility shall receive reimbursement for nursing staff levels in excess of the limit, except that, if a facility was reimbursed for a nursing staff level in excess of the limit as of June 30, 1983, the facility may choose to continue to receive its June, 1983 nursing services rate plus any adjustments in rates, such as adjustments for economic trends, made available to all facilities. The reasonableness limit established pursuant to this subsection shall remain in effect for the period July 1, 1983 through June 30, 1985. At that time the department may revise the measure of patient characteristics or method used to establish the limit.

(5) The department shall select an index of cost increase relevant to the nursing and related services cost area. In the absence of a more representative index, the department shall use the medical care component index as maintained by the United States bureau of labor statistics.

(6) If a facility's nursing staff level is below the limit specified in subsection (3) of this section, the department shall determine the percentage increase for all items included in the nursing services cost center between the facility's most recent cost reporting period and the next prior cost reporting period.

(a) If the percentage cost increase for a facility is below the increase in the selected index for the same time period, the facility's reimbursement rate in the nursing services cost center shall equal the facility's cost from the most recent cost reporting period plus any allowance for inflation provided by legislative appropriation.

(b) If the percentage cost increase for a facility exceeds the increase in the selected index, the department shall limit the cost used for setting the facility's rate in the nursing services cost area to a level reflecting the increase in the selected index.

(7) If the facility's nursing staff level exceeds the reasonableness limit established in subsection (3) of this section, the department shall determine the increase for all items included in the nursing services cost center between the facility's most recent cost reporting period and the next prior cost reporting period.

(a) If the percentage cost increase for a facility is below the increase in the index selected pursuant to subsection (5) of this section, the facility's reimbursement rate in the nursing cost center shall equal the facility's cost from the most recent cost reporting period adjusted downward to reflect the limit on nursing staff, plus any allowance for inflation provided by legislative appropriation subject to the provisions of subsection (4) of this section.

(b) If the percentage cost increase for a facility exceeds the increase in the selected index, the department shall limit the cost used for setting the facility's rate in the nursing services cost center to a level reflecting the nursing staff limit and the cost increase limit, subject to the provisions of subsection (4) of this section, plus any allowance for inflation provided by legislative appropriation.

(8) The department is authorized to determine on a systematic basis facilities with unmet patient care service needs. The department may increase the nursing services cost center prospective rate for a facility beyond the level determined in accordance with subsection (6) of this section if the facility's actual and reported nursing staffing is one standard error or more below predicted staffing as determined according to the method selected pursuant to subsection (3) of this section and the facility has unmet patient care service needs: PROVIDED, That prospective rate increases authorized by this subsection shall be funded only from legislative appropriations made for this purpose and the increases shall be conditioned on specified improvements in patient care at such facilities.

(9) The department shall establish a method for identifying patients with exceptional care requirements and a method for establishing or negotiating on a consistent basis rates for such patients.

Sec. 25. Section 49, chapter 177, Laws of 1980 as amended by section 6, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.490 are each amended to read as follows:

(1) The food cost center shall include all costs for bulk and raw food and beverages purchased for the dietary needs of medical care recipients.

(2) ~~(The food cost reimbursement rate for each facility shall be computed as follows:~~

~~FR = (FFC/FPD) 1.15, where~~

~~FR = the facility food cost center reimbursement rate;~~

~~FFC = the total of all reporting facilities' food cost center costs; and~~

~~FPD = the total patient days for the prior year of all reporting facilities.~~

(3) ~~Unless extended by law for an additional period of time, on and after July 1, 1986, the food cost reimbursement rate for each facility shall be computed as follows:~~

~~FR = (FFC/FPD), where~~

~~FR = the facility food cost center reimbursement rate;~~

~~FFC = the total of all reporting facilities' food cost center costs; and~~

~~TPD — the total patient days for the prior year of all reporting facilities:)) Reimbursement for the food cost center shall be at the January 1, 1983, reimbursement rate, adjusted annually for inflation.~~

NEW SECTION. Sec. 26. There is added to chapter 74.46 RCW a new section to read as follows:

(1) References in RCW 74.46.490 and section 24 of this act to adjustments for inflation mean percentages determined by the legislature in the biennial budget act.

(2) Inflation adjustments shall be applied as follows:

(a) Where a prior period rate forms the basis for the next period rate, the adjustment in subsection (1) of this section shall be applied to that prior period rate.

(b) In the nursing services cost center rates beginning July 1, 1984, and the administration and operations cost center rate, the adjustments in subsection (1) of this section shall be applied to prior period annual costs in establishing July rates. Where a July rate is based upon a cost report covering less than twelve months, the department shall reduce the inflation adjustment factor in subsection (1) of this section proportionately.

NEW SECTION. Sec. 27. There is added to chapter 74.46 RCW a new section to read as follows:

(1) This section shall apply for rate setting beginning July 1, 1983, and shall cease to be effective on December 31, 1984.

(2) The department shall pay a return on net equity, as defined in federal medicare rules and regulations, at the annual rate of twelve percent, except that this return shall not exceed two dollars per patient day.

(3) Property cost center reimbursement for both leased and owner-operated facilities shall not exceed the predicted cost plus 1.75 standard deviation of the necessary and ordinary prior period allowable annual cost report costs of depreciation, and interest, of owner-operated facilities utilizing a multiple regression formula developed by the department of social and health services, recognizing factors which may be significant, including location, age, and type of facility. Rental costs of leased facilities and depreciation and interest costs of owner-operated facilities, for leases or mortgages entered into prior to July 1, 1979, shall be reimbursed to the extent they do not exceed the reimbursement rate payable for the property cost center as of June 30, 1979, adjusted to meet any discrepancies as determined by the federal government between the reimbursements made and the approved state medicaid plan, the reimbursement rate payable July 1, 1979 or the regression formula rate, whichever is higher, and adjusted for any approved capitalized additions or replacements.

Sec. 28. Section 53, chapter 177, Laws of 1980 as amended by section 7, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.530 are each amended to read as follows:

~~(1) ((The department shall first establish a total state-wide return on investment pool for use in determining individual facility return on investment allowances.~~

~~(a) in establishing the total state-wide return on investment pool the department shall determine the sum of net invested funds as of the end of the most recent reporting period of all facilities participating in the medical care program.~~

~~(b) in computing the portion of net invested funds representing the net book value of tangible fixed assets, the same assets, depreciation bases, lives, and methods referred to in 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) The sum of net invested funds shall then be multiplied by 1.4 times the average of the rates of interest on special issues of public debt obligations issued to the federal hospital insurance trust fund for the last completed calendar quarter prior to rate setting to establish the total state-wide return on investment pool.~~

~~(2)) The department shall establish for individual facilities return on investment allowances composed of two parts: A financing allowance and a variable return allowance.~~

~~(a) The financing allowance shall be determined by multiplying the net invested funds of each facility by ((1.07 times the average of the rates of interest on special issues of public debt obligations issued to the federal hospital insurance trust fund for the last completed quarter prior to rate setting)) .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 ((reimbursement)) 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 ((five)) 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.

~~(((iii)) Such percentage amounts shall be calculated so that the variable return allowance plus the financing allowance times the total patient days for each facility, when summed for all facilities, shall be as close in amount to the total state-wide return on investment pool as is practical; except that, such percentage amounts for equivalent groups of facilities as determined in subparagraph (2)(b)(ii) of this section shall be no less than the percentage amounts as calculated pursuant to this subsection on July 1, 1984.~~

~~(c)) (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.

~~(((d))) (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 ~~((RCW 74.46.530(2)(c)))~~ 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, for the net book value of the assets in determining net invested funds for the facility. A determination by the department of general administration of fair market value shall be final unless the procedure used to make such determination is shown to be arbitrary and capricious.

(ii) The sum of the financing allowance computed under ~~((subparagraph (2)(d)(i)))~~ 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 ~~((RCW 74.46.530(2)(c)))~~ 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.

~~(((3))) (2)~~ In the event that the department of health ~~((education))~~ and ~~((welfare))~~ 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 ~~((both total state-wide return on investment pool and))~~ individual facility return on investment allowances as follows: Net invested funds for each nonprofit facility shall be multiplied by one minus the ratio of equity funds to the net invested funds of all nonprofit facilities.

~~(((4))) (3)~~ Each biennium, beginning in ~~((1984))~~ 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. 29. Section 55, chapter 177, Laws of 1980 and RCW 74.46.550 are each amended to read as follows:

~~(((+)))~~ The reimbursement rates shall not exceed the contractor's customary charges to the general public for comparable services.

~~(((2)) Rates shall not exceed the limits set forth in 42 CFR 450.30(b)(6).))~~

Sec. 30. Section 56, chapter 177, Laws of 1980 and RCW 74.46.560 are each amended to read as follows:

The department will notify each contractor in writing of its prospective reimbursement rates ~~((at least thirty days in advance of))~~ by the effective date of the rates. Unless otherwise specified at the time it is issued, the rate will be effective from the first day of the month in

which it is issued until a new rate becomes effective. If a rate is changed as the result of an appeal in accordance with RCW 74.46.780, it will be effective as of the date the appealed rate became effective.

Sec. 31. Section 57, chapter 177, Laws of 1980 and RCW 74.46.570 are each amended to read as follows:

(1) Prospective rates are subject to adjustment by the department as a result of errors or omissions by the department or by the contractor. The department will notify the contractor in writing of each adjustment and of ~~((ths))~~ the effective date of the adjustment, and of any amount due to the department or to the contractor as a result of the rate adjustment.

~~(2) If a contractor claims an error or omission based upon incorrect cost reporting, amended cost report pages shall be prepared and submitted by the contractor. Amended pages shall be accompanied by a certification signed by the licensed administrator of the nursing facility and a written justification explaining why the amendment is necessary. The certification and justification shall meet such criteria as are adopted by the department. Such amendments may be used to revise a prospective rate but shall not be used to revise a settlement if submitted after commencement of the field audit. All changes determined to be material by the department shall be subject to field audit. If changes are found to be incorrect or otherwise unacceptable, any rate adjustment based thereon shall be null and void and resulting payments or payment increases shall be subject to refund.~~

(3) The contractor shall pay an amount ~~((it owes))~~ owed the department resulting from an error or omission, or commence repayment in accordance with a schedule determined by the department, within sixty days after receipt of notification of the rate adjustment, unless the contractor contests the department's determination in accordance with the procedures set forth in RCW 74.46.780. If the determination is contested, the contractor shall pay or commence repayment within sixty days after completion of these proceedings. If a refund is not paid when due, the amount thereof may be deducted from current payments by the department.

~~((3))~~ (4) The department shall pay any amount ~~((it owes))~~ owed the contractor as a result of a rate adjustment within thirty days after ~~((it notifies))~~ the contractor is notified of the rate adjustment.

~~((4))~~ (5) No adjustments will be made to a rate more than one hundred twenty days after the final ~~((settlement))~~ audit narrative and summary for the period the rate was effective is sent to the contractor or, if no audit is held, more than one hundred twenty days after the preliminary settlement becomes the final settlement, except when a settlement is reopened as provided in RCW 74.46.170~~((2))~~(3).

Sec. 32. Section 58, chapter 177, Laws of 1980 and RCW 74.46.580 are each amended to read as follows:

The department shall provide all interested members of the public with an opportunity to review and comment on the proposed rate-setting factors, indices, measures, and guidelines ~~((not later than May 15th of each year prior to their being used to set rates)), consistent with federal requirements.~~

Sec. 33. Section 61, chapter 177, Laws of 1980 and RCW 74.46.610 are each amended to read as follows:

(1) A contractor shall bill the department each month by completing and returning a facility billing statement as provided by the department which shall include, but not be limited to:

- (a) Billing by cost center;
- (b) Total patient days; and
- (c) Patient days for medical care recipients.

The statement shall be completed and filed in accordance with rules and regulations established by the secretary.

(2) A ~~((contractor))~~ facility shall not bill the department for service provided to a recipient until an award letter of eligibility of such recipient ~~((pursuant to))~~ under rules ~~((and regulations))~~ established ~~((according to the provisions of))~~ under chapter 74.09 RCW has been received by the ~~((contractor except that a contractor))~~ facility. However a facility may bill and shall be reimbursed for all medical care recipients referred to the ~~((contractor's))~~ facility by the department prior to the receipt of the award letter of eligibility or the denial of such eligibility. ~~((At that time it may bill for service provided back through the date the recipient was admitted or became eligible.))~~

(3) Billing shall cover the patient days of care.

Sec. 34. Section 64, chapter 177, Laws of 1980 and RCW 74.46.640 are each amended to read as follows:

(1) Payments to a contractor may be withheld by the department in each of the following circumstances:

(a) A required report is not properly completed and filed by the contractor within the appropriate time period, including any approved extension. Payments will be released as soon as a properly completed report is received:



(b) State auditors, department auditors, or authorized personnel in the course of their duties are refused access to a nursing home or are not provided with existing appropriate records. Payments will be released as soon as such access or records are provided:

(c) A refund in connection with ~~((an annual))~~ a settlement or rate adjustment is not paid by the contractor when due. The amount withheld will be limited to the unpaid amount of the refund: and

(d) Payment for the final thirty days of service under a contract will be held pending final settlement when the contract is terminated.

(2) No payment will be withheld until written notification of the suspension is provided to the contractor, stating the reason therefor.

Sec. 35. Section 67, chapter 177, Laws of 1980 and RCW 74.46.670 are each amended to read as follows:

(1) Each new contractor shall submit a projected budget to the department at least sixty days before its contract will become effective.

(2) The projected budget shall cover the ~~((period to December 31st))~~ contractor's first twelve months of operation from the date the contractor will enter the program. It shall be prepared on forms and in accordance with rules and regulations established by the secretary.

Sec. 36. Section 69, chapter 177, Laws of 1980 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 ~~((audited))~~ cost report, an audit has been completed by the department, and final settlement has been determined, such settlement not to exceed ~~((sixty))~~ ninety days following ~~((submission of the final audited cost report))~~ 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) 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.

Sec. 37. Section 71, chapter 177, Laws of 1980 and RCW 74.46.710 are each amended to read as follows:

(1) The contractor shall maintain a subsidiary ledger with an account for each recipient for whom the contractor has money in trust.

(2) Each account and related supporting records shall:

(a) Be kept current;

(b) Be balanced each month; and

(c) Show in detail, with supporting verification, all moneys received on behalf of the recipient and the disposition of all moneys so received.

(3) Records of each account shall be available for audit pursuant to ~~((RCW 74.46.140))~~ section 5 of this 1983 act and shall be retained for a minimum of four years. When an account has attained the maximum limit established by rules and regulations promulgated by the secretary, the contractor will notify the department within five days.

(4) Any charge for medical services otherwise properly made to a recipient's trust account must be supported by a written denial of such services from the department.

Sec. 38. Section 72, chapter 177, Laws of 1980 and RCW 74.46.720 are each amended to read as follows:

(1) The contractor may maintain a petty cash fund originating from trust moneys of an amount determined by the department which shall be reasonable and necessary for the size of a facility and the needs of the recipients.

(2) Such petty cash fund shall be maintained as an imprest fund. All moneys over and above the trust fund petty cash amount shall be deposited intact, within twenty-four hours, in a trust fund checking account, separate and apart from any other bank account or accounts of the facility or other facilities.

(3) Cash deposits of recipient allowances from any source must be made intact to the trust account within one week from the time that payment of such allowances are received.

(4) Any related bankbooks, bank statements, checkbook, check register, and all voided and canceled checks, shall be made available for audit pursuant to ~~(RCW 74.46.140)~~ section 5 of this 1983 act and shall be retained by the facility for not less than four years.

(5) No service charges for such checking account shall be paid from recipient trust moneys.

(6) The trust account per bank shall be reconciled monthly to the trust account per patient ledgers.

Sec. 39. Section 77, chapter 177, Laws of 1980 and RCW 74.46.770 are each amended to read as follows:

~~(((((~~ (1) If a contractor wishes to contest the way in which a rule or contract provision relating to the prospective cost-related reimbursement system was applied to the contractor by the department, it shall first pursue the administrative review process set forth in RCW 74.46.780.

(2) The administrative review and fair hearing process in RCW 74.46.780 need not be exhausted if a contractor wishes to challenge the legal validity of a statute, rule, or contract provision.

Sec. 40. Section 78, chapter 177, Laws of 1980 and RCW 74.46.780 are each amended to read as follows:

(1) Within thirty days after a contractor is notified of an action or determination it wishes to challenge, the contractor shall request in writing that the secretary review such determination. The request shall be signed by the contractor or the licensed administrator of the facility, shall identify the challenged determination and the date thereof, and shall state as specifically as practicable the grounds for its contention that the determination was erroneous. Copies of any documentation on which the contractor intends to rely to support its position shall be included with the request.

(2) After receiving a request meeting the above criteria, the secretary or his designee will contact the contractor to schedule a conference for the earliest mutually convenient time. The conference shall be scheduled for no later than ~~((thirty))~~ ninety days after a properly completed request is received unless both parties agree in writing to a specified later date.

(3) The contractor and appropriate representatives of the department shall attend the conference. In addition, representatives selected by the contractor may attend and participate. The contractor shall ~~((bring to the conference, or))~~ provide to the department in advance of the conference ~~(:))~~ any documentation on which it intends to rely to support its contentions. The parties shall clarify and attempt to resolve the issues at the conference. If additional documentation is needed to resolve the issues, a second session of the conference shall be scheduled for not later than thirty days after the initial session unless both parties agree in writing to a specific later date.

(4) A written decision by the secretary will be furnished to the contractor within ~~((thirty))~~ sixty days after the conclusion of the conference. ~~((The secretary shall prepare such decision for the fiscal and other appropriate standing committees of the legislature.))~~

(5) If the contractor desires review of an adverse decision of the secretary, it shall within thirty days following receipt of such decision request a fair hearing in writing in accordance with the provisions of chapter 34.04 RCW. A request for fair hearing shall satisfy the criteria for a review request as set forth in subsection (1) of this section.

Sec. 41. Section 82, chapter 177, Laws of 1980 and RCW 74.46.820 are each amended to read as follows:

(1) Cost reports and their final audit reports ~~((with any accompanying schedule of questioned costs submitted to the secretary))~~ shall be subject to public disclosure pursuant to the requirements of chapter 42.17 RCW. Notwithstanding any other provision of law, financial statements and any accompanying schedules summarizing the adjustments to a contractor's financial records, reports on review of internal control and accounting procedures, and letters of comments or recommendations relating to suggested improvements in internal control or accounting procedures which are prepared pursuant to the requirements of this chapter shall be exempt from public disclosure.

(2) Regardless of whether any document or report submitted to the secretary pursuant to this chapter is subject to public disclosure, copies of such documents or reports shall be provided by the secretary, upon written request, to the legislature and to state agencies or state or local law enforcement officials who have an official interest in the contents thereof.

Sec. 42. Section 92, chapter 177, Laws of 1980 and RCW 74.46.840 are each amended to read as follows:

If any part of this ~~((act))~~ chapter and RCW 18.51.145 and 74.09.120 is found by an agency of the federal government to be in conflict with federal requirements which are a prescribed condition to the receipts of federal funds to the state, the conflicting part of this ~~((act))~~ chapter

and RCW 18.51.145 and 74.09.120 is hereby declared inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and such finding or determination shall not affect the operation of the remainder of this ~~((act))~~ chapter and RCW 18.51.145 and 74.09.120 in its application to the agencies concerned. In the event that any portion of this ~~((act))~~ chapter and RCW 18.51.145 and 74.09.120 is found to be in conflict with federal requirements which are a prescribed condition to the receipt of federal funds, the secretary, to the extent that the secretary finds it to be consistent with the general policies and intent of ~~((this))~~ chapters 18.51, 74.09, and 74.46 RCW, may adopt such rules as to resolve a specific conflict and which do meet minimum federal requirements. In addition, the secretary shall submit to the next regular session of the legislature a summary of the specific rule changes made and recommendations for statutory resolution of the conflict.

NEW SECTION. Sec. 43. There is added to chapter 74.46 RCW a new section 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. 44. Section 74.09.120, chapter 26, Laws of 1959 as last amended by section 6, chapter 11, Laws of 1981 2nd ex. sess. and RCW 74.09.120 are each amended to read as follows:

The department shall purchase necessary physician and dentist services by contract or "fee for service." The department shall purchase hospital care by contract or by all inclusive day rate, or at a reasonable cost based on a ratio of charges to cost. Any hospital when requested by the department shall supply such information as necessary to justify its rate, charges or costs. All additional services provided by the hospital shall be purchased at rates established by the department after consultation with the hospital. The department shall purchase nursing home care by contract. The department shall establish regulations for reasonable nursing home accounting and reimbursement systems which ~~((comply with RCW 74.09.610. The regulations))~~ shall provide that no payment shall be made to a nursing home which does not permit inspection by the department of social and health services of every part of its premises and an examination of all records, including financial records, methods of administration, general and special dietary programs, the disbursement of drugs and methods of supply, and any other records the department deems relevant to the establishment of such a system.

All other services and supplies provided under the program shall be secured by contract.

The department may purchase care in institutions for the mentally retarded, also known as intermediate care facilities for the mentally retarded. The department shall ~~((develop))~~ establish rules for reasonable accounting and reimbursement systems for such care ~~((and report such rules to the next regular session of the legislature for review prior to implementation))~~. Institutions for the mentally retarded include licensed nursing homes, public institutions, licensed boarding homes with fifteen beds or less, and hospital facilities certified as intermediate care facilities for the mentally retarded under the federal medicaid program to provide health, habilitative, or rehabilitative services and twenty-four hour supervision for mentally retarded individuals or persons with related conditions and includes in the program "active treatment" as federally defined.

Sec. 45. Section 16, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.145 are each amended to read as follows:

Inspections of nursing homes by local authorities shall be consistent with the requirements of chapter 19.27 RCW, the state building code. Findings of a serious nature shall be coordinated with the department and the state fire marshal for determination of appropriate actions to ensure a safe environment for nursing home residents. The state fire marshal shall have exclusive authority to determine appropriate corrective action under this section.

NEW SECTION. Sec. 46. (1) In administering the nursing home payment system under chapter 74.09 RCW, the department of social and health services shall calculate preliminary settlements for the 1978 and 1979 cost reporting periods. The preliminary settlements shall be computed by comparing the rates paid to a contractor with that contractor's reported or audited allowable costs, as available. For 1978 reporting periods, the department shall on preliminary settlements permit providers the option of: (a) Retaining cost savings in the administration and operations and property cost centers as computed according to department regulations in effect for 1978; or (b) receiving a return on owner's net invested equity as computed according to procedures established by the department. For 1979 reporting periods, pending final disposition of litigation concerning retention of cost savings in the administration and operations and property cost centers for June 1979, the department shall not recover such cost savings for the calendar year.

(2) Contractors shall make repayment of overpayments identified through this process within thirty days of receipt of written notice from the department of the amount of overpayments.

(3) Where deemed appropriate by the department, repayment of overpayments may be made according to a schedule determined by the department.

(4) Failure on the part of a nursing home contractor to tender payment due in full within thirty days after notice is received from the department shall render the contractor liable for the payment of interest to the department at the rate of one percent per month for any unpaid balance from thirty days after the date of notification until payment in full is received by the department. Liability for interest payments under this subsection shall remain in effect whether a contractor is in default of repayment or is making repayment according to a schedule determined by the department in lieu of payment in full upon notification of payment due.

(5) Unless payment due from a nursing home contractor is received in full within thirty days after notification from the department or unless principal and interest payments are received according to a schedule determined by the department, recoupment from current reimbursement payments due a contractor in default will commence according to a schedule determined by the department.

(6) Interest expense incurred by a contractor in making repayment of overpayments for 1978 and 1979 reporting periods shall not be reimbursable by the state as an allowable cost.

(7) Nothing in this section prejudices the rights of contractors or the department regarding audit adjustments or revised settlements which may be promulgated by the department from time to time in individual contractor cases.

**NEW SECTION.** Sec. 47. There is appropriated from the general fund to the department of social and health services for the biennium ending June 30, 1985, the sum of \$3,300,000, of which \$1,650,000 is from federal funds, to carry out the purposes of section 24 of this act. Expenditures under this appropriation shall not exceed amounts recovered under section 46 of this act.

**NEW SECTION.** Sec. 48. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.550;
- (2) Section 2, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.560;
- (3) Section 3, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.570;
- (4) Section 4, chapter 260, Laws of 1977 ex. sess., section 2, chapter 2, Laws of 1981 1st ex. sess., section 7, chapter 11, Laws of 1981 2nd ex. sess. and RCW 74.09.580;
- (5) Section 1, chapter 2, Laws of 1981 1st ex. sess., section 8, chapter 11, Laws of 1981 2nd ex. sess., section 2, chapter 19, Laws of 1982 1st ex. sess., section 1, chapter 1, Laws of 1982 2nd ex. sess. and RCW 74.09.610;
- (6) Section 5, chapter 19, Laws of 1982 1st ex. sess. and RCW 74.09.620;
- (7) Section 7, chapter 177, Laws of 1980, section 3, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.070;
- (8) Section 11, chapter 177, Laws of 1980 and RCW 74.46.110;
- (9) Section 12, chapter 177, Laws of 1980, section 4, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.120;
- (10) Section 14, chapter 177, Laws of 1980 and RCW 74.46.140;
- (11) Section 40, chapter 177, Laws of 1980 and RCW 74.46.400;
- (12) Section 48, chapter 177, Laws of 1980 and RCW 74.46.480;
- (13) Section 81, chapter 177, Laws of 1980, section 8, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.810;
- (14) Section 13, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.850; and
- (15) Section 84, chapter 177, Laws of 1980.

Sec. 49. Section 94, chapter 177, Laws of 1980 as amended by section 10, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.901 are each amended to read as follows:

(1) Sections 2, 7, 83, 85, 86, and 91 of chapter 177, Laws of 1980 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 on April 4, 1980.

(2) Section 27 of chapter 177, Laws of 1980 shall take effect on July 1, 1980.

(3) ~~(Sections 3, 4, 5, 6, 8, 9, 11, and 12 of chapter 177, Laws of 1980 shall take effect on July 1, 1983.~~

~~(4) All other sections of chapter 177, Laws of 1980 shall take effect on July 1, 1984.)~~ RCW 74.46.300, 74.46.360, 74.46.510, and 74.46.530 shall take effect on January 1, 1985.

(4) All other sections of chapter 74.46 RCW, except those which took effect before July 1, 1983, shall take effect on July 1, 1983, which shall be "the effective date of this act" where that term is used in chapter 177, Laws of 1980.

**NEW SECTION.** Sec. 50. There is appropriated for the biennium ending June 30, 1985, from the general fund to the office of the state auditor, the sum of sixty thousand dollars, or so much thereof as may be necessary, for the purposes of section 6 of this act.

**NEW SECTION.** Sec. 51. 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 on July 1, 1983, with the exception of section 28 of this act, which shall take effect on January 1, 1985."

#### MOTION

On motion of Senator McDermott, the following title amendment was adopted:

On page 1, line 1 of the title, after "nursing homes;" strike the remainder of the title and insert "amending section 4, chapter 177, Laws of 1980 and RCW 74.46.040; amending section 6, chapter 177, Laws of 1980 and RCW 74.46.060; amending section 8, chapter 177, Laws of 1980 and RCW 74.46.080; amending section 10, chapter 177, Laws of 1980 and RCW 74.46.100; amending section 13, chapter 177, Laws of 1980 and RCW 74.46.130; amending section 15, chapter 177, Laws of 1980 and RCW 74.46.150; amending section 16, chapter 177, Laws of 1980 and RCW 74.46.160; amending section 17, chapter 177, Laws of 1980 and RCW 74.46.170; amending section 18, chapter 177, Laws of 1980 and RCW 74.46.180; amending section 19, chapter 177, Laws of 1980 and RCW 74.46.190; amending section 27, chapter 177, Laws of 1980 and RCW 74.46.270; amending section 31, chapter 177, Laws of 1980 and RCW 74.46.310; amending section 41, chapter 177, Laws of 1980 and RCW 74.46.410; amending section 42, chapter 177, Laws of 1980 and RCW 74.46.420; amending section 43, chapter 177, Laws of 1980 and RCW 74.46.430; amending section 45, chapter 177, Laws of 1980 and RCW 74.46.450; amending section 46, chapter 177, Laws of 1980 as amended by section 5, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.460; amending section 47, chapter 177, Laws of 1980 and RCW 74.46.470; amending section 49, chapter 177, Laws of 1980 as amended by section 6, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.490; amending section 53, chapter 177, Laws of 1980 as amended by section 7, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.530; amending section 55, chapter 177, Laws of 1980 and RCW 74.46.550; amending section 56, chapter 177, Laws of 1980 and RCW 74.46.560; amending section 57, chapter 177, Laws of 1980 and RCW 74.46.570; amending section 58, chapter 177, Laws of 1980 and RCW 74.46.580; amending section 61, chapter 177, Laws of 1980 and RCW 74.46.610; amending section 64, chapter 177, Laws of 1980 and RCW 74.46.640; amending section 67, chapter 177, Laws of 1980 and RCW 74.46.670; amending section 69, chapter 177, Laws of 1980 and RCW 74.46.690; amending section 71, chapter 177, Laws of 1980 and RCW 74.46.710; amending section 72, chapter 177, Laws of 1980 and RCW 74.46.720; amending section 77, chapter 177, Laws of 1980 and RCW 74.46.770; amending section 78, chapter 177, Laws of 1980 and RCW 74.46.780; amending section 82, chapter 177, Laws of 1980 and RCW 74.46.820; amending section 92, chapter 177, Laws of 1980 and RCW 74.46.840; amending section 74.09.120, chapter 26, Laws of 1959 as last amended by section 6, chapter 11, Laws of 1981 2nd ex. sess. and RCW 74.09.120; amending section 16, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.145; amending section 94, chapter 177, Laws of 1980 as amended by section 10, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.901; creating new sections: adding new sections to chapter 74.46 RCW; repealing section 1, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.550; repealing section 2, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.560; repealing section 3, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.570; repealing section 4, chapter 260, Laws of 1977 ex. sess., section 2, chapter 2, Laws of 1981 1st ex. sess., section 7, chapter 11, Laws of 1981 2nd ex. sess. and RCW 74.09.580; repealing section 1, chapter 2, Laws of 1981 1st ex. sess., section 8, chapter 11, Laws of 1981 2nd ex. sess., section 2, chapter 19, Laws of 1982 1st ex. sess., section 1, chapter 1, Laws of 1982 2nd ex. sess. and RCW 74.09.610; repealing section 5, chapter 19, Laws of 1982 1st ex. sess. and RCW 74.09.620; repealing section 7, chapter 177, Laws of 1980, section 3, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.070; repealing section 11, chapter 177, Laws of 1980 and RCW 74.46.110; repealing section 12, chapter 177, Laws of 1980, section 4, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.120; repealing section 14, chapter 177, Laws of 1980 and RCW 74.46.140; repealing section 40, chapter 177, Laws of 1980 and RCW 74.46.400; repealing section 48, chapter 177, Laws of 1980 and RCW 74.46.480; repealing section 81, chapter 177, Laws of 1980, section 8, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.810; repealing section 13, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.850; repealing section 84, chapter 177, Laws of 1980; making appropriations; providing an effective date; providing expiration dates; and declaring an emergency."

#### MOTION

On motion of Senator McDermott, the rules were suspended, Reengrossed Senate Bill No. 3780 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Fleming: "Senator McDermott, one of the amendments that was put into the striking amendment was an amendment dealing with the Department reimbursing the dues of state associations under the State Medicare program? With this amendment, would they continue to do that?"

Senator McDermott: "Dues to state associations will continue to be allowable and reimbursed. However, the state will no longer participate in that portion of dues attributable to national associations. The Department will not pay the costs of national associations under this language."

The President declared the question before the Senate to be roll call on final passage of Reengrossed Senate Bill No. 3780.

## ROLL CALL

The Secretary called the roll on final passage of Reengrossed Senate Bill No. 3870 and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting ye: Senators Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shipoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 48.

Excused: Senator Pullen - 1.

REENGROSSED SENATE BILL NO. 3780, having received the 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 President advanced the Senate to the fifth order of business.

## INTRODUCTION AND FIRST READING OF HOUSE BILL

ESHB 52 by Committee on Ways and Means (originally sponsored by Representatives Grimm and Cantu) (by Governor Spellman request)

Modifying various excise taxes.

## MOTION

On motion of Senator McDermott, the rules were suspended, Engrossed Substitute House Bill No. 52 was advanced to second reading and read the second time.

## MOTION

Senator McDermott moved that the following amendment be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 3, chapter 65, Laws of 1970 ex. sess. as amended by section 1, chapter 9, Laws of 1983 and RCW 82.04.255 are each amended to read as follows:

Upon every person engaging within the state as a real estate broker; as to such persons, the amount of the tax with respect to such business shall be equal to the gross income of the business, multiplied by the rate of ~~((two))~~ 1.45 percent ~~((until and including June 30, 1983, and one percent thereafter))~~; PROVIDED, That this tax shall be imposed only if all of the amendments contained in sections 2 through 4 of this 1983 act become law.

The measure of the tax on real estate commissions earned by the real estate broker shall be the gross commission earned by the particular real estate brokerage office including that portion of the commission paid to salesmen or associate brokers in the same office on a particular transaction: PROVIDED, HOWEVER, That where a real estate commission is divided between an originating brokerage office and a cooperating brokerage office on a particular transaction, each brokerage office shall pay the tax only upon their respective shares of said commission; AND PROVIDED FURTHER, That where the brokerage office has paid the tax as provided herein, salesmen or associate brokers within the same brokerage office shall not be required to pay a similar tax upon the same transaction.

Sec. 2. Section 82.04.290, chapter 15, Laws of 1961 as last amended by section 2, chapter 9, Laws of 1983 and RCW 82.04.290 are each amended to read as follows:

Upon every person engaging within this state in any business activity other than or in addition to those enumerated in RCW 82.04.230, 82.04.240, 82.04.250, 82.04.255, 82.04.260, 82.04.270, and 82.04.280; as to such persons the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of ~~((two))~~ 1.45 percent ~~((until and including June 30, 1983, and one percent thereafter))~~; PROVIDED, That this tax shall be imposed only if all of the amendments contained in sections 1, 3, and 4 of this 1983 act become law. This section includes, among others, and without limiting the scope hereof (whether or not title to materials used in the performance of such business passes to another by accession, confusion or other than by outright sale), persons engaged in the business of rendering any type of service which does not constitute a "sale at retail" or a "sale at wholesale." The value of advertising, demonstration, and promotional supplies and materials furnished to an agent by his principal or supplier to be used for informational, educational and promotional purposes shall not be considered a part of the agent's remuneration or commission and shall not be subject to taxation under this section.

Sec. 3. Section 3, chapter 9, Laws of 1983 and RCW 82.04.... are each amended 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 82.04.220 through 82.04.240, inclusive, and RCW 82.04.260 through 82.04.280, inclusive, an additional tax equal to

~~((thirty-two))~~ fifteen percent multiplied by the tax payable under RCW 82.04.220 through 82.04.240, inclusive, and RCW 82.04.260 through 82.04.280, inclusive: PROVIDED, That this additional tax shall be imposed only if all of the amendments contained in sections 1, 2, and 4 of this 1983 act become law.

(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, or 82.08.0263,~~ as a part of the tax imposed under RCW 82.04.250, an additional tax equal to ~~((thirty-two))~~ fifteen percent multiplied by the tax payable on those activities under RCW 82.04.250: PROVIDED, That this additional tax shall be imposed only if all of the amendments contained in sections 1, 2, and 4 of this 1983 act become law.

(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, ~~((1983))~~ 1985.

Sec. 4. Section 3, chapter 130, Laws of 1975-76 2nd ex. sess. as last amended by section 4, chapter 9, Laws of 1983 and RCW 82.04.2901 are each amended to read as follows:

~~((From and after the first day of April, 1982;))~~ Until and including the thirtieth day of June, ~~((1983))~~ 1985, there is levied and shall be collected from every person, other than persons taxed under RCW 82.04.... (section 3 ~~((of this 1983 act)),~~ chapter 9, Laws of 1983), for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW 82.04.250, an additional tax equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under the provisions of RCW 82.04.250: PROVIDED, That as to such persons making sales at retail in border counties other than retail sales of telephone services, as defined in section 26 of this 1983 act, such additional tax shall be levied and collected from such persons ~~((making sales at retail in border counties))~~ 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: PROVIDED FURTHER, That the additional tax under this section shall be imposed only if all of the amendments contained in sections 1 through 3 of this 1983 act become law.

To facilitate collection of this additional tax, 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.

Sec. 5. Section 16, chapter 10, Laws of 1982 as last amended by section 4, chapter \_\_\_\_ (SSB 3244), Laws of 1983 1st 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 thirty-three one-hundredths of one percent.

(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. 6. Section 31, chapter 35, Laws of 1982 1st ex. sess. as last amended by section 8, chapter 7, Laws of 1983 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), 82.20.010(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(~~(-PROVIDED: That the additional tax imposed by RCW 82.44.020(5) shall be continued at the rate of three percent for the period July 1 through September 30, 1983);~~);

(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. 7. Section 14.02, chapter 79, Laws of 1947 as last amended by section 1, chapter 10, Laws of 1982 2nd ex. sess. and RCW 48.14.020 are each amended to read as follows:

(1) Subject to other provisions of this chapter, each authorized insurer except title insurers shall on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax on premiums. Except as provided in subsection (2) of this section, such tax shall be in the amount of two and sixteen one-hundredths percent of all premiums, excluding amounts returned to or the amount of reductions in premiums allowed to holders of industrial life policies for payment of premiums directly to an office of the insurer, collected or



received by the insurer during the preceding calendar year in the case of foreign and alien insurers, and in the amount of one and sixteen one-hundredths percent of all such premiums in the case of domestic insurers, for direct insurances, other than ocean marine and foreign trade insurances, after deducting premiums paid to policyholders as returned premiums, upon risks or property resident, situated, or to be performed in this state. For the purposes of this section the consideration received by an insurer for the granting of an annuity shall not be deemed to be a premium.

(2) In the case of insurers which require the payment by their policyholders at the inception of their policies of the entire premium thereon in the form of premiums or premium deposits which are the same in amount, based on the character of the risks, regardless of the length of term for which such policies are written, such tax shall be in the amount of two and sixteen one-hundredths percent of the gross amount of such premiums and premium deposits upon policies on risks resident, located, or to be performed in this state, in force as of the thirty-first day of December next preceding, less the unused or unabsorbed portion of such premiums and premium deposits computed at the average rate thereof actually paid or credited to policyholders or applied in part payment of any renewal premiums or premium deposits on one-year policies expiring during such year.

(3) ~~((From and after the first day of April, 1982, until and including the thirtieth day of June, 1983))~~ An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the taxes payable under subsections (1) ~~((and)), (2), and (4))~~ of this section. All revenues from this additional tax shall be deposited in the state general fund.

(4) Each authorized insurer shall with respect to all ocean marine and foreign trade insurance contracts written within this state during the preceding calendar year, on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax of ninety-one one-hundredths of one percent on its gross underwriting profit. Such gross underwriting profit shall be ascertained by deducting from the net premiums (i.e., gross premiums less all return premiums and premiums for reinsurance) on such ocean marine and foreign trade insurance contracts the net losses paid (i.e., gross losses paid less salvage and recoveries on reinsurance ceded) during such calendar year under such contracts. In the case of insurers issuing participating contracts, such gross underwriting profit shall not include, for computation of the tax prescribed by this subsection, the amounts refunded, or paid as participation dividends, by such insurers to the holders of such contracts.

(5) The state does hereby preempt the field of imposing excise or privilege taxes upon insurers or their agents, other than title insurers, and no county, city, town or other municipal subdivision shall have the right to impose any such taxes upon such insurers or their agents.

(6) If an authorized insurer collects or receives any such premiums on account of policies in force in this state which were originally issued by another insurer and which other insurer is not authorized to transact insurance in this state on its own account, such collecting insurer shall be liable for and shall pay the tax on such premiums.

(7) This section shall be effective as to and shall govern the payment of all taxes due for calendar year 1982 and thereafter.

Sec. 8. Section 2, chapter 278, Laws of 1957 as last amended by section 18, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.020 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district a tax for the act or privilege of engaging within this state in the business of operating works, plants or facilities for the generation, distribution and sale of electric energy. With respect to each such district, except with respect to thermal electric generating facilities taxed under RCW 54.28.025, such tax shall be the sum of the following amounts: (a) Two percent of the gross revenues derived by the district from the sale of all electric energy which it distributes to consumers who are served by a distribution system owned by the district; (b) five percent of the first four mills per kilowatt-hour of wholesale value of self-generated energy distributed to consumers by a district; (c) five percent of the first four mills per kilowatt-hour of revenue obtained by the district from the sale of self-generated energy for resale.

(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 ~~((for April, 1982, through June, 1983))~~.

Sec. 9. Section 6, chapter 366, Laws of 1977 ex. sess. as amended by section 19, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.025 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district operating a thermal electric generating facility, as defined in RCW 54.28.010 as now or hereafter amended, having a design capacity of two hundred fifty thousand kilowatts or more, located on a federal reservation, which is placed in operation after September 21, 1977, a tax for the act or privilege of engaging within the state in the business of generating electricity for use or sale, equal to one and one-half percent of wholesale value of energy produced for use or sale, except energy used in the operation of component parts of the power plant and associated transmission facilities under control of the person operating the power plant.

(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 ~~((for April, 1982, through June, 1983))~~.

Sec. 10. Section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 23, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.210 are each amended to read as follows:

(1) There is hereby imposed upon all wines sold to wine wholesalers and the Washington state liquor control board, within the state a tax at the rate of twenty and one-fourth cents per liter: PROVIDED, HOWEVER, That wine sold or shipped in bulk from one winery to another winery shall not be subject to such tax. The tax provided for in this section may, if so prescribed by the board, be collected by means of stamps to be furnished by the board, or by direct payments based on wine purchased by wine wholesalers. Every person purchasing wine under the provisions of this section shall on or before the twentieth day of each month report to the board all purchases during the preceding calendar month in such manner and upon such forms as may be prescribed by the board, and with such report shall pay the tax due from the purchases covered by such report unless the same has previously been paid. Any such purchaser of wine whose applicable tax payment is not postmarked by the twentieth day following the month of purchase will be assessed a penalty at the rate of two percent a month or fraction thereof. If this tax be collected by means of stamps, every such person shall procure from the board revenue stamps representing the tax in such form as the board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser. If the tax is not collected by means of stamps, the board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may forthwith suspend or cancel the license until all taxes are paid.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983;))~~ 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. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

Sec. 11. Section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 24, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.290 are each amended to read as follows:

(1) Any brewer or beer wholesaler licensed under this title may sell and deliver beer to holders of authorized licenses direct, but to no other person, other than the board; and every such brewer or beer wholesaler shall report all sales to the board monthly, pursuant to the regulations, and shall pay to the board as an added tax for the privilege of manufacturing and selling the beer within the state a tax of two dollars and sixty cents per barrel of thirty-one gallons on sales to licensees within the state and on sales to licensees within the state of bottled and canned beer shall pay a tax computed in gallons at the rate of two dollars and sixty cents per barrel of thirty-one gallons. Any brewer or beer wholesaler whose applicable tax payment is not postmarked by the twentieth day following the month of sale will be assessed a penalty at the rate of two percent per month or fraction thereof. Each such brewer or wholesaler shall procure from the board revenue stamps representing such tax in form prescribed by the board and shall affix the same to the barrel or package in such manner and in such denominations as required by the board, and shall cancel the same prior to commencing delivery from his place of business or warehouse of such barrels or packages. Beer shall be sold by brewers and wholesalers in sealed barrels or packages. The revenue stamps herein provided for need not be affixed and canceled in the making of resales of barrels or packages already taxed by the affixation and cancellation of stamps as provided in this section.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983;))~~ 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. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

(3) The tax imposed under this section shall not apply to "strong beer" as defined in this title.

Sec. 12. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 3, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected a tax upon each retail sale of spirits, or strong beer in the original package at the rate of fifteen percent of the selling price. The tax imposed in this subsection shall apply to all such sales including sales by the Washington state liquor stores and agencies, but excluding sales to class H licensees.

(2) There is levied and shall be collected a tax upon each sale of spirits, or strong beer in the original package at the rate of ten percent of the selling price on sales by Washington state liquor stores and agencies to class H licensees.

(3) There is levied and shall be collected an additional tax upon each retail sale of spirits in the original package at the rate of one dollar and seventy-two cents per liter. The additional tax imposed in this subsection shall apply to all such sales including sales by Washington state liquor stores and agencies, and including sales to class H licensees.

(4) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the taxes payable under subsections (1), (2), and (3) of this section.

(5) The tax imposed in RCW 82.08.020, as now or hereafter amended, shall not apply to sales of spirits or strong beer in the original package.

(6) The taxes imposed in this section 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 under this section. The taxes required by this section to be collected by the seller shall be stated separately from the selling price and for purposes of determining the tax due from the buyer to the seller, it shall be conclusively presumed that the selling price quoted in any price list does not include the taxes imposed by this section.

(7) As used in this section, the terms, "spirits," "strong beer," and "package" shall have the meaning ascribed to them in chapter 66.04 RCW.

Sec. 13. Section 82.16.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 5, Laws of 1982 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, light and power, ~~((telephone))~~ 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.

(2) ~~((From and after the first day of April, 1982, until and including the thirtieth day of June, 1983:))~~ 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.

Sec. 14. Section 82.20.010, chapter 15, Laws of 1961 as amended by section 7, chapter 35, Laws of 1982 1st 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 realty 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; and for each additional five hundred dollars or fractional part thereof, fifty cents.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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) This section shall not apply to any instrument or writing, given to secure a debt, nor to any conveyance to the state.

Sec. 15. Section 82.24.020, chapter 15, Laws of 1961 as last amended by section 8, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.24.020 are each amended to read as follows:

(1) There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling, possession or distribution of all cigarettes, in an amount equal to the rate of eight and one-half mills per cigarette. For purposes of this chapter and RCW 28A.47.440, "possession" shall mean both (a) physical possession by the purchaser and, (b) when cigarettes are being transported to or held for the purchaser or his designee by a person other than the purchaser, constructive possession by the purchaser or his designee, which constructive possession shall be deemed to occur at the location of the cigarettes being so transported or held.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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, RCW 82.24.025, and 28A.47.440.

Sec. 16. Section 82.26.020, chapter 15, Laws of 1961 as last amended by section 9, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.26.020 are each amended to read as follows:

(1) From and after June 1, 1971, there is levied and there shall be collected a tax upon the sale, use, consumption, handling, or distribution of all tobacco products in this state at the rate of forty-five percent of the wholesale sales price of such tobacco products. Such tax shall be imposed at the time the distributor (a) brings, or causes to be brought, into this state from without the state tobacco products for sale, (b) makes, manufactures, or fabricates tobacco products in this state for sale in this state, or (c) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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.

Sec. 17. Section 2, chapter 98, Laws of 1980 as last amended by section 6, chapter 284, Laws of 1983 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 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 food fish, shellfish, or anadromous game fish whose possession constitutes the taxable event. The taxable event is the first possession by an owner after the food fish, shellfish, or anadromous game fish have been landed. Processing and handling of 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 food fish, shellfish, and anadromous game fish and liable to this tax may deduct from the price paid to the person from which the 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 of the food fish, shellfish, or anadromous game fish. 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 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) ~~((From and after the first day of July, 1982, until and including the thirtieth day of June, 1983:))~~ 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. 18. Section 3, chapter 61, Laws of 1975-76 2nd ex. sess. as amended by section 11, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.29A.030 are each amended to read as follows:

(1) There is hereby levied and shall be collected a leasehold excise tax on the act or privilege of occupying or using publicly owned real or personal property through a leasehold interest on and after January 1, 1976, at a rate of twelve percent of taxable rent: PROVIDED, That after the computation of the tax there shall be allowed credit for any tax collected pursuant to RCW 82.29A.040.

(2) ~~((From and after the first day of April, 1982, until and including the thirtieth day of June, 1983:))~~ 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.

Sec. 19. Section 82.44.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.44.020 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under reciprocal agreements, the provisions of RCW 46.16.160 as now or hereafter amended, or dealer's licenses. The annual amount of such excise tax shall be two percent of the fair market value of such vehicle.

(2) From and after August 1, 1978, and until August 1, 2008, an additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the state any such motor vehicle, and the annual amount of such additional excise shall be two-tenths of one percent of the fair market value of such vehicle.

(3) The department of licensing and county auditors shall collect the additional tax imposed by subsection (2) of this section for any registration year for the months of that registration year in which such additional tax is effective, and in the same manner and at the same time as the tax imposed by subsection (1) of this section.

(4) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

(5) ~~((From and after the first day of July, 1982, until and including the thirtieth day of September, 1983:))~~ An additional tax is imposed equal to the taxes payable under subsections (1) and (2) of this section multiplied by the rate ~~((of tax applicable to the periods shown as follows:~~

July 1 - September 30, 1982	4%
October 1 - June 30, 1983	7%
July 1 - September 30, 1983	3%)

specified in RCW 82.02.030.

Sec. 20. Section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 14, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.45.060 are each amended to read as follows:

(1) There is imposed an excise tax upon each sale of real property at the rate of one percent of the selling price.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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.

Sec. 21. Section 82.48.010, chapter 15, Laws of 1961 as last amended by section 239, chapter 158, Laws of 1979 and RCW 82.48.010 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

(1) "Aircraft" means any weight-carrying device or structure for navigation of the air~~((:))~~ which is designed to be supported by the air~~((- but which is heavier than air))~~:

(2) "Director" means the director of licensing; ~~((and))~~

(3) "Person" includes a firm, partnership or corporation;

(4) "Small multi-engine fixed wing" means any piston-driven multi-engine fixed wing aircraft with a maximum gross weight as listed by the manufacturer of less than seventy-five hundred pounds; and

(5) "Large multi-engine fixed wing" means any piston-driven multi-engine fixed wing aircraft with a maximum gross weight as listed by the manufacturer of seventy-five hundred pounds or more.

Sec. 22. Section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030 are each amended to read as follows:

(1) The amount of the tax imposed by this chapter for each calendar year shall be ~~((fifteen dollars for each single engine aircraft, and twenty-five dollars for each multi-engine aircraft, irrespective of make, type, year of manufacture or any other type of classification; PROVIDED: That the calendar year))~~ as follows:

Type of aircraft	Registration fee
Single engine fixed wing	\$ 50
Small multi-engine fixed wing	65
Large multi-engine fixed wing	80
Turboprop multi-engine fixed wing	100
Turbojet multi-engine fixed wing	125
Helicopter	75
Sailplane	20
Lighter than air	20
Home built	20

(2) The amount of tax imposed under subsection (1) of this section for each calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax upon an aircraft registered for the first time in this state after the last day of any month shall only be levied for the remaining months of the calendar year including the month in which the aircraft is being registered: PROVIDED ~~((FURTHER))~~, That the minimum amount payable shall be three dollars.

An aircraft shall be deemed registered for the first time in this state when such aircraft was not previously registered by this state for the year immediately preceding the year in which application for registration is made.

Sec. 23. Section 82.32.090, chapter 15, Laws of 1961 as last amended by section 32, chapter 7, Laws of 1983 and RCW 82.32.090 are each amended to read as follows:

If payment of any tax due is not received by the department of revenue by the due date, there shall be assessed a penalty of five percent of the amount of the tax; and if the tax is not received within thirty days after the due date, there shall be assessed a total penalty of ten percent of the amount of the tax; and if the tax is not received within sixty days after the due date, there shall be assessed a total penalty of twenty percent of the amount of the tax. No penalty so added shall be less than two dollars.

If payment of any tax is received within the first ten days of the month next succeeding the month in which the tax is payable, the amount of such payment shall be credited to, and shall be treated for all purposes as having been collected during, the fiscal year which includes the month preceding the month in which such due date falls. Effective June 30, 1985, ~~((and there after))~~ if the payment of any tax is received during the first ~~((ten))~~ eighteen days in ~~((the month in which the tax is payable))~~ July, the amount of such payment shall be credited to, and shall be treated for all purposes as having been collected during, the preceding fiscal year ~~((which includes the month preceding the month in which such due date falls))~~, Effective June 30, 1987, and thereafter, if the payment of any tax is received during the first ten days in July, the amount of such payment shall be credited to, and shall be treated for all purposes as having been collected during, the preceding fiscal year.

If a warrant be issued by the department of revenue for the collection of taxes, increases, and penalties, there shall be added thereto a penalty of five percent of the amount of the tax, but not less than five dollars.

Notwithstanding the foregoing, the aggregate of penalties imposed under this chapter for failure to file a return, late payment of any tax, increase, or penalty, or issuance of a warrant shall not exceed twenty-five percent of the tax due, or seven dollars, whichever is greater.

Sec. 24. Section 6, chapter 40, Laws of 1973 2nd ex. sess. as amended by section 3, chapter 141, Laws of 1981 and RCW 84.36.800 are each amended to read as follows:

As used in RCW 84.36.020, 84.36.030, 84.36.040, 84.36.050, 84.36.060, 84.36.037, and 84.36.800 through 84.36.865:

(1) "Church purposes" means the use of real and personal property owned by a nonprofit religious organization for religious worship or related administrative, educational, eleemosynary, and social activities. This definition is to be broadly construed;

(2) "Convent" means a house or set of buildings occupied by a community of clergymen or nuns devoted to religious life under a superior;

(3) "Hospital" means any portion of a hospital building, or other buildings in connection therewith, used as a residence for persons engaged or employed in the operation of a hospital, or operated as a portion of the hospital unit;

(4) "Nonprofit" means an organization, association or corporation no part of the income of which is paid directly or indirectly to its members, stockholders, officers, directors or trustees except in the form of services rendered by the organization, association, or corporation in accordance with its purposes and bylaws and the salary or compensation paid to officers of such organization, association or corporation is for actual services rendered and compares to the salary or compensation of like positions within the public services of the state;

(5) "Parsonage" means a residence occupied by a clergyman who is designated for a particular congregation and who holds regular services therefor;

(6) "School or college" means any nonprofit organization, association, or corporation established and operated for general educational purposes, or to provide cultural or art education programs as defined in RCW 82.04.4328.

NEW SECTION. Sec. 25. There is added to chapter 82.04 RCW a new section to read as follows:

(1) "Competitive telephone service" means the providing by any person of telecommunications equipment or apparatus, or service related to that equipment or apparatus such as repair or maintenance service, if the equipment or apparatus is of a type which can be provided by persons that are not subject to regulation as telephone companies under Title 80 RCW and for which a separate charge is made.

(2) "Network telephone service" means the providing by any person of access to a local telephone network, local telephone network switching service, toll service, or coin telephone services, or the providing of telephonic, video, data, or similar communication or transmission for hire, via a local telephone network, toll line or channel, cable, microwave, or similar communication or transmission system. "Network telephone service" includes interstate service, including toll service, originating from or received on telecommunications equipment or apparatus in this state if the charge for the service is billed to a person in this state. "Network telephone service" does not include the providing of competitive telephone service, the providing of cable television service, nor the providing of broadcast services by radio or television stations.

(3) "Telephone service" means competitive telephone service or network telephone service, or both, as defined in subsections (1) and (2) of this section.

(4) "Telephone business" means the business of providing network telephone service, as defined in subsection (2) of this section. It includes cooperative or farmer line telephone companies or associations operating an exchange.

Sec. 26. Section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 144, Laws of 1981 and RCW 82.04.050 are each amended to read as follows:

(1) "Sale at retail" or "retail sale" means every sale of tangible personal property (including articles produced, fabricated, or imprinted) to all persons irrespective of the nature of their business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than a sale to a person who (a) purchases for the purpose of resale as tangible personal property in the regular course of business without intervening use by such person, or (b) installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property of or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property without intervening use by such person, or (c) purchases for the purpose of consuming the property purchased in producing for sale a new article of tangible personal property or substance, of which such property becomes an ingredient or component or is a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale, or (d) purchases for the purpose of providing the property to consumers as part of competitive telephone service, as defined in ((RCW 82.16.010)) section 25

of this 1983 act. The term shall include every sale of tangible personal property which is used or consumed or to be used or consumed in the performance of any activity classified as a "sale at retail" or "retail sale" even though such property is resold or utilized as provided in (a), (b), (c), or (d) above following such use. The term also means every sale of tangible personal property to persons engaged in any business which is taxable under RCW 82.04.280, subsections (2) and (7) and RCW 82.04.290.

(2) The term "sale at retail" or "retail sale" shall include the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following: (a) The installing, repairing, cleaning, altering, imprinting, or improving of tangible personal property of or for consumers, including charges made for the mere use of facilities in respect thereto, but excluding charges made for the use of coin operated laundry facilities when such facilities are situated in an apartment house, hotel, motel, rooming house, trailer camp or tourist camp for the exclusive use of the tenants thereof, and also excluding sales of laundry service to members by nonprofit associations composed exclusively of nonprofit hospitals, and excluding services rendered in respect to live animals, birds and insects; (b) the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and shall also include the sale of services or charges made for the clearing of land and the moving of earth excepting the mere leveling of land used in commercial farming or agriculture; (c) the sale of or charge made for labor and services rendered in respect to the cleaning, fumigating, razing or moving of existing buildings or structures, but shall not include the charge made for janitorial services; and for purposes of this section the term "janitorial services" shall mean those cleaning and caretaking services ordinarily performed by commercial janitor service businesses including, but not limited to, wall and window washing, floor cleaning and waxing, and the cleaning in place of rugs, drapes and upholstery. The term "janitorial services" does not include painting, papering, repairing, furnace or septic tank cleaning, snow removal or sandblasting; (d) the sale of or charge made for labor and services rendered in respect to automobile towing and similar automotive transportation services, but not in respect to those required to report and pay taxes under chapter 82.16 RCW; (e) the sale of and charge made for the furnishing of lodging and all other services by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same; (f) the sale of or charge made for tangible personal property, labor and services to persons taxable under (a), (b), (c), (d), and (e) above when such sales or charges are for property, labor and services which are used or consumed in whole or in part by such persons in the performance of any activity defined as a "sale at retail" or "retail sale" even though such property, labor and services may be resold after such use or consumption. Nothing contained in this paragraph shall be construed to modify the first paragraph of this section and nothing contained in the first paragraph of this section shall be construed to modify this paragraph.

(3) The term "sale at retail" or "retail sale" shall include the sale of or charge made for personal business or professional services including amounts designated as interest, rents, fees, admission, and other service emoluments however designated, received by persons engaging in the following business activities(;;): (a) Amusement and recreation businesses including but not limited to golf, pool, billiards, skating, bowling, ski lifts and tows and others; (b) abstract, title insurance and escrow businesses; (c) credit bureau businesses; (d) automobile parking and storage garage businesses.

(4) The term shall also include the renting or leasing of tangible personal property to consumers.

(5) The term shall also include the providing of ((competitive)) telephone service, as defined in ((RCW 82-16-040)) section 25 of this 1983 act, to consumers.

(6) The term shall not include the sale of or charge made for labor and services rendered in respect to the building, repairing, or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind, nor shall it include sales of feed, seed, fertilizer, and spray materials to persons for the purpose of producing for sale any agricultural product whatsoever, including milk, eggs, wool, fur, meat, honey, or other substances obtained from animals, birds, or insects but only when such production and subsequent sale are exempt from tax under RCW 82.04.330, nor shall it include sales of chemical sprays or washes to persons for the purpose of post-harvest treatment of fruit for the prevention of scald, fungus, mold, or decay.

(7) The term shall not include the sale of or charge made for labor and services rendered in respect to the constructing, repairing, decorating, or improving of new or existing buildings

or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing, or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation. Nor shall the term include the sale of services or charges made for the clearing of land and the moving of earth of or for the United States, any instrumentality thereof, or a county or city housing authority.

Sec. 27. Section 82.04.060, chapter 15, Laws of 1961 and RCW 82.04.060 are each amended to read as follows:

"Sale at wholesale" or "wholesale sale" means any sale of tangible personal property, or any sale of telephone service as defined in section 25 of this 1983 act, which is not a sale at retail and means any charge made for labor and services rendered for persons who are not consumers, in respect to real or personal property, if such charge is expressly defined as a retail sale by RCW 82.04.050 when rendered to or for consumers: PROVIDED, That the term "real or personal property" as used in this section shall not include any natural products named in RCW 82.04.100.

Sec. 28. Section 82.04.190, chapter 15, Laws of 1961 as last amended by section 2, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.190 are each amended to read as follows:

"Consumer" means the following:

(1) Any person who purchases, acquires, owns, holds, or uses any article of tangible personal property irrespective of the nature of ~~(his)~~ the person's business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than for the purpose (a) of resale as tangible personal property in the regular course of business or (b) of incorporating such property as an ingredient or component of real or personal property when installing, repairing, cleaning, altering, imprinting, improving, constructing, or decorating such real or personal property of or for consumers or (c) of consuming such property in producing for sale a new article of tangible personal property or a new substance, of which such property becomes an ingredient or component or as a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale;

(2) Any person engaged in any business activity taxable under RCW 82.04.290 and any person who purchases, acquires, or uses any telephone service as defined in section 25 of this 1983 act, other than for resale in the regular course of business;

(3) Any person engaged in the business of contracting for the building, repairing or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state of Washington or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind as defined in RCW 82.04.280, in respect to tangible personal property when such person incorporates such property as an ingredient or component of such publicly owned street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle by installing, placing or spreading the property in or upon the right of way of such street, place, road, highway, easement, bridge, tunnel, or trestle or in or upon the site of such mass public transportation terminal or parking facility;

(4) Any person who is an owner, lessee or has the right of possession to or an easement in real property which is being constructed, repaired, decorated, improved, or otherwise altered by a person engaged in business, excluding only (a) municipal corporations or political subdivisions of the state in respect to labor and services rendered to their real property which is used or held for public road purposes, and (b) the United States, instrumentalities thereof, and county and city housing authorities created pursuant to chapter 35.82 RCW in respect to labor and services rendered to their real property. Nothing contained in this or any other subsection of this definition shall be construed to modify any other definition of "consumer";

(5) Any person who is an owner, lessee, or has the right of possession to personal property which is being constructed, repaired, improved, cleaned, imprinted, or otherwise altered by a person engaged in business;

(6) Any person engaged in the business of constructing, repairing, decorating, or improving new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation. Any such person shall be a consumer within the meaning of this subsection in respect to tangible personal property incorporated into, installed in, or attached to such building or other structure by such person.

Sec. 29. Section 82.04.460, chapter 15, Laws of 1961 as amended by section 9, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.460 are each amended to read as follows:

(1) Any person rendering services taxable under RCW 82.04.290 and maintaining places of business both within and without this state which contribute to the rendition of such services



shall, for the purpose of computing tax liability under RCW 82.04.290, apportion to this state that portion of his gross income which is derived from services rendered within this state. Where such apportionment cannot be accurately made by separate accounting methods, the taxpayer shall apportion to this state that proportion of his total income which the cost of doing business within the state bears to the total cost of doing business both within and without the state.

(2) Notwithstanding the provision of subsection (1) of this section, persons doing business both within and without the state who receive gross income from service charges, as defined in RCW 63.14.010(8) (relating to amounts charged for granting the right or privilege to make deferred or installment payments) or who receive gross income from engaging in business as financial institutions within the scope of chapter 82.14A RCW (relating to city taxes on financial institutions) shall apportion or allocate gross income taxable under RCW 82.04.290 to this state pursuant to rules promulgated by the department consistent with uniform rules for apportionment or allocation developed by the states.

(3) The department shall by rule provide a method or methods of apportioning or allocating gross income derived from sales of telephone services taxed under this chapter, if the gross proceeds of sales subject to tax under this chapter do not fairly represent the extent of the taxpayer's income attributable to this state. The rules shall be, so far as feasible, consistent with the methods of apportionment contained in this section and shall require the consideration of those facts, circumstances, and apportionment factors as will result in an equitable and constitutionally permissible division of the services.

Sec. 30. Section 82.04.470, chapter 15, Laws of 1961 as amended by section 43, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.470 are each amended to read as follows:

Unless a seller has taken from the purchaser a resale certificate signed by, and bearing the name and address and registration number of the purchaser to the effect that the property or service was purchased for resale, or unless the nature of the transaction is clearly shown as a sale at wholesale by the books and records of the taxpayer in such other manner as the department of revenue shall by regulation provide, the burden of proving that a sale of tangible personal property, or of telephone service as defined in section 25 of this 1983 act, was not a sale at retail shall be upon the person who made it.

NEW SECTION. Sec. 31. There is added to chapter 82.08 RCW a new section to read as follows:

(1) The tax levied by RCW 82.08.020 shall not apply to sales of:

(a) Network telephone service, other than toll service, to residential customers.

(b) Network telephone service which is paid for by inserting coins in coin-operated telephones.

(2) As used in this section:

(a) "Network telephone service" has the meaning given in section 25 of this act.

(b) "Residential customer" means an individual subscribing to a residential class of telephone service.

(c) "Toll service" does not include customer access line charges for access to a toll calling network.

Sec. 32. Section 3, chapter 94, Laws of 1970 ex. sess. as last amended by section 1, chapter 211, Laws of 1982 and RCW 82.14.020 are each amended to read as follows:

For purposes of this chapter:

(1) A retail sale consisting solely of the sale of tangible personal property shall be deemed to have occurred at the retail outlet at or from which delivery is made to the consumer;

(2) A retail sale consisting essentially of the performance of personal business or professional services shall be deemed to have occurred at the place at which such services were primarily performed;

(3) A retail sale consisting of the rental of tangible personal property shall be deemed to have occurred (a) in the case of a rental involving periodic rental payments, at the primary place of use by the lessee during the period covered by each payment, or (b) in all other cases, at the place of first use by the lessee;

(4) A retail sale within the scope of the second paragraph of RCW 82.04.050, and a retail sale of taxable personal property to be installed by the seller shall be deemed to have occurred at the place where the labor and services involved were primarily performed;

(5) A retail sale consisting of the providing to a consumer of ((~~competitive~~)) telephone service, as defined in ((~~RCW 82.16.010~~)) section 25 of this 1983 act, other than a sale of tangible personal property under subsection (1) of this section or a rental of tangible personal property under subsection (3) of this section, shall be deemed to have occurred at the situs of the ((~~primary~~)) telephone or other instrument through which the ((~~competitive~~)) telephone service is rendered;

(6) "City" means a city or town;

(7) The meaning ascribed to words and phrases in chapters 82.04, 82.08 and 82.12 RCW, as now or hereafter amended, insofar as applicable, shall have full force and effect with respect to taxes imposed under authority of this chapter;

(8) "Taxable event" shall mean any retail sale, or any use of an article of tangible personal property, upon which a state tax is imposed pursuant to chapter 82.08 or 82.12 RCW, as they now exist or may hereafter be amended: PROVIDED, HOWEVER, That the term shall not include a retail sale taxable pursuant to RCW 82.08.150, as now or hereafter amended;

(9) "Treasurer or other legal depository" shall mean the treasurer or legal depository of a county or city.

Sec. 33. Section 82.16.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1982 2nd ex. sess and RCW 82.16.010 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

(1) "Railroad business" means the business of operating any railroad, by whatever power operated, for public use in the conveyance of persons or property for hire. It shall not, however, include any business herein defined as an urban transportation business.

(2) "Express business" means the business of carrying property for public hire on the line of any common carrier operated in this state, when such common carrier is not owned or leased by the person engaging in such business.

(3) "Railroad car business" means the business of renting, leasing or operating stock cars, furniture cars, refrigerator cars, fruit cars, poultry cars, tank cars, sleeping cars, parlor cars, buffet cars, tourist cars, or any other kinds of cars used for transportation of property or persons upon the line of any railroad operated in this state when such railroad is not owned or leased by the person engaging in such business.

(4) "Water distribution business" means the business of operating a plant or system for the distribution of water for hire or sale.

(5) "Light and power business" means the business of operating a plant or system for the generation, production or distribution of electrical energy for hire or sale.

~~(6) ("Telephone business" means the business of providing access to a local telephone network, local telephone network switching service, toll service, or coin telephone services, or providing telephonic, video, data, or similar communication or transmission for hire, via a local telephone network, toll line or channel, or similar communication or transmission system. It includes cooperative or farmer line telephone companies or associations operating an exchange. "Telephone business" does not include the providing of competitive telephone service, nor the providing of cable television service.~~

~~(7))~~ "Telegraph business" means the business of affording telegraphic communication for hire.

~~((#))~~ (7) "Gas distribution business" means the business of operating a plant or system for the production or distribution for hire or sale of gas, whether manufactured or natural.

~~((#))~~ (8) "Motor transportation business" means the business (except urban transportation business) of operating any motor propelled vehicle by which persons or property of others are conveyed for hire, and includes, but is not limited to, the operation of any motor propelled vehicle as an auto transportation company (except urban transportation business), common carrier or contract carrier as defined by RCW 81.68.010 and 81.80.010: PROVIDED, That "motor transportation business" shall not mean or include the transportation of logs or other forest products exclusively upon private roads or private highways.

~~((#))~~ (9) "Urban transportation business" means the business of operating any vehicle for public use in the conveyance of persons or property for hire, insofar as (a) operating entirely within the corporate limits of any city or town, or within five miles of the corporate limits thereof, or (b) operating entirely within and between cities and towns whose corporate limits are not more than five miles apart or within five miles of the corporate limits of either thereof. Included herein, but without limiting the scope hereof, is the business of operating passenger vehicles of every type and also the business of operating cartage, pickup, or delivery services, including in such services the collection and distribution of property arriving from or destined to a point within or without the state, whether or not such collection or distribution be made by the person performing a local or interstate line-haul of such property.

~~((#))~~ (10) "Public service business" means any of the businesses defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), and (9)~~(-and (#))~~ or any business subject to control by the state, or having the powers of eminent domain and the duties incident thereto, or any business hereafter declared by the legislature to be of a public service nature, except telephone business as defined in section 25 of this 1983 act. It includes, among others, without limiting the scope hereof: Airplane transportation, boom, dock, ferry, log patrol, pipe line, warehouse, toll bridge, toll logging road, water transportation and wharf business.

~~((#))~~ (11) "Tugboat business" means the business of operating tugboats, towboats, wharf boats or similar vessels in the towing or pushing of vessels, barges or rafts for hire.

~~((#))~~ (12) "Gross income" means the value proceeding or accruing from the performance of the particular public service or transportation business involved, including operations incidental thereto, but without any deduction on account of the cost of the commodity furnished or sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other

expense whatsoever paid or accrued and without any deduction on account of losses: PROVIDED, That gross income of a light and power business means those amounts or value accruing to a taxpayer from the last distribution of electrical energy which is a taxable event within this state.

((14)) (13) The meaning attributed, in chapter 82.04 RCW, to the term "tax year," "person," "value proceeding or accruing," "business," "engaging in business," "in this state," "within this state," "cash discount" and "successor" shall apply equally in the provisions of this chapter.

((15) "Competitive telephone service" means the providing by any person of telephone equipment, apparatus, or service, other than toll service, which is of a type which can be provided by persons that are not subject to regulation as telephone companies under Title 80 RCW and for which a separate charge is made:))

Sec. 34. Section 6, chapter 134, Laws of 1972 ex. sess. as last amended by section 7, chapter 99, Laws of 1983 and RCW 35.21.710 are each amended to read as follows:

Any city which imposes a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales, shall impose such tax at a single uniform rate upon all such business activities. The taxing authority granted to cities for taxes upon business activities measured by gross receipts or gross income from sales shall not exceed a rate of .0020; except that any city with an adopted ordinance at a higher rate, as of January 1, 1982 shall be limited to a maximum increase of ten percent of the January 1982 rate, not to exceed an annual incremental increase of two percent of current rate: PROVIDED, That any adopted ordinance which classifies according to different types of business or services shall be subject to both the ten percent and the two percent annual incremental increase limitation on each tax rate: PROVIDED FURTHER, That all surtaxes on business and occupation classifications in effect as of January 1, 1982, shall expire no later than December 31, 1982, or by expiration date established by local ordinance. Cities which impose a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales shall be required to submit an annual report to the state auditor identifying the rate established and the revenues received from each fee or tax. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW. For purposes of this section, the providing to consumers of competitive telephone service, as defined in ((RCW 82.16.010)) section 25 of this 1983 act, shall be deemed to be the retail sale of tangible personal property.

Sec. 35. Section 7, chapter 134, Laws of 1972 ex. sess. as amended by section 7, chapter 144, Laws of 1981 and RCW 35A.82.050 are each amended to read as follows:

Any code city which imposes a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales, shall impose such tax at a single uniform rate upon all such business activities. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW. For purposes of this section, the providing to consumers of competitive telephone service, as defined in ((RCW 82.16.010)) section 25 of this 1983 act, shall be deemed to be the retail sale of tangible personal property.

Sec. 36. Section 8, chapter 144, Laws of 1981 and RCW 35.21.712 are each amended to read as follows:

Any city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ((RCW 82.16.010)) section 25 of this 1983 act, which is measured by gross receipts or gross income from the business shall impose the tax at a uniform rate on all persons engaged in the telephone business in the city.

This section does not apply to the providing of competitive telephone service as defined in ((RCW 82.16.010)) section 25 of this 1983 act.

Sec. 37. Section 9, chapter 144, Laws of 1981 and RCW 35A.82.055 are each amended to read as follows:

Any code city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ((RCW 82.16.010)) section 25 of this 1983 act, which is measured by gross receipts or gross income from the business shall impose the tax at a uniform rate on all persons engaged in the telephone business in the code city.

This section does not apply to the providing of competitive telephone service as defined in ((RCW 82.16.010)) section 25 of this 1983 act.

Sec. 38. Section 10, chapter 144, Laws of 1981 and RCW 35.21.714 are each amended to read as follows:

Any city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ((RCW 82.16.010)) section 25 of this 1983 act, which is measured by gross receipts or gross income may impose the fee or tax, if it desires, on one hundred percent of the total gross revenue derived from intrastate toll telephone services subject to the fee or tax: PROVIDED, That the city shall not impose the fee or tax on that portion of network telephone service, as defined in section 25 of this 1983 act, which represents access to, or charges for, interstate services for which rates are contained in tariffs filed with the federal communications commission.

Sec. 39. Section 11, chapter 144, Laws of 1981 and RCW 35A.82.060 are each amended to read as follows:

Any code city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82.16.010))~~ section 25 of this 1983 act, which is measured by gross receipts or gross income may impose the fee or tax, if it desires, on one hundred percent of the total gross revenue derived from intrastate toll telephone services subject to the fee or tax; PROVIDED, That the city shall not impose the fee or tax on that portion of network telephone service, as defined in section 25 of this 1983 act, which represents access to, or charges for, interstate services for which rates are contained in tariffs filed with the federal communications commission.

Sec. 40. Section 2, chapter 49, Laws of 1982 1st ex. sess. and RCW 35.21.860 are each amended to read as follows:

(1) No city or town may impose a franchise fee or any other fee or charge of whatever nature or description upon the light and power, ~~((telephone))~~ or gas distribution businesses, as defined in RCW 82.16.010, or telephone business, as defined in section 25 of this 1983 act, except that (a) a tax authorized by RCW 35.21.865 may be imposed and (b) a fee may be charged to such businesses that recovers actual administrative expenses incurred by a city or town that are directly related to receiving and approving a permit, license, and franchise, to inspecting plans and construction, or to the preparation of a detailed statement pursuant to chapter 43.21C RCW.

(2) Subsection (1) of this section does not prohibit franchise fees imposed on an electrical energy, natural gas, or telephone business, by contract existing on April 20, 1982, with a city or town, for the duration of the contract, but the franchise fees shall be considered taxes for the purposes of the limitations established in RCW 35.21.865 and 35.21.870 to the extent the fees exceed the costs allowable under subsection (1) of this section.

Sec. 41. Section 80.04.270, chapter 14, Laws of 1961 as amended by section 5, chapter 144, Laws of 1981 and RCW 80.04.270 are each amended to read as follows:

Any public service company engaging in the sale of merchandise or appliances or equipment shall keep separate accounts, as prescribed by the commission, of its capital employed in such business and of its revenues therefrom and operating expenses thereof. The capital employed in such business shall not constitute a part of the fair value of said company's property for rate making purposes, nor shall the revenues from or operating expenses of such business constitute a part of the operating revenues and expenses of said company as a public service company. For purposes of this section, the providing of competitive telephone service, as defined in ~~((RCW 82.16.010))~~ section 25 of this 1983 act, shall not constitute the sale of merchandise, appliances, or equipment, unless the commission determines that it would be in the public interest to hold otherwise.

Sec. 42. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 7, Laws of 1983 and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and five-tenths percent of the selling price; PROVIDED, That for retail sales other than retail sales of telephone services, as defined in section 25 of this 1983 act, such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 43. Section 39, chapter 37, Laws of 1980 as amended by section 1, chapter 5, Laws of 1982 1st ex. sess. and RCW 82.08.0273 are each amended to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales to nonresidents of this state of tangible personal property for use outside this state when the purchaser has applied for and received from the department of revenue a permit certifying (1) that ~~((he))~~ the purchaser is a bona fide resident of a state or possession or Province of Canada other than the state of Washington, (2) that such state, possession, or Province of Canada does not impose a retail sales tax or use tax of three percent or more or, if imposing such a tax, permits Washington residents exemption from otherwise taxable sales by reason of their residence, and (3) that he or she does agree, when requested, to grant the department of revenue access to such records and other forms of verification at his or her place of residence to assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this section must display a nonresident permit as herein provided, and any vendor making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable, shall be renewable annually, and shall be issued by the department of revenue upon payment of a fee of ~~((five))~~ one dollar(s). The department may in its discretion designate independent agents for the issuance of permits.

according to such standards and qualifications as the department may prescribe. Such agents shall pay over and account to the department for all permit fees collected, after deducting as a collection fee the sum of ~~((one dollar))~~ fifty cents for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of perjury. Any person making tax exempt purchases by displaying a permit not his or her own, or a counterfeit permit, with intent to violate the provisions of this section shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit, and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due.

Sec. 44. Section 9, chapter 7, Laws of 1983 and RCW 82.\_\_\_\_\_ are each amended to read as follows:

An excise tax is imposed for the privilege of using a vessel ~~((for which registration is required under chapter 88.--- RCW (sections 14 through 22 of this act)))~~ upon the waters of this state, except vessels ~~((covered by a dealer's registration number under this chapter))~~ exempt under section 45 of this 1983 act. The annual amount of the excise tax is one-half of one percent of fair market value, as determined under this chapter, or five dollars, whichever is greater.

The excise tax upon a vessel registered for the first time in this state shall be imposed for a twelve-month period, including the month in which the vessel is registered, unless the director of licensing extends or diminishes vessel registration periods for the purpose of staggered renewal periods under RCW 88.--- (section 18 ~~((of this act))~~, chapter 7, Laws of 1983). A vessel is registered for the first time in this state when the vessel was not registered in this state for the immediately preceding registration year, or when the vessel was registered in another jurisdiction for the immediately preceding year. The excise tax on vessels required to be registered in this state on the effective date of this section shall be paid by June 30, 1983.

NEW SECTION. Sec. 45. There is added to chapter 82.\_\_\_\_\_ RCW (sections 9 through 13, chapter 7, Laws of 1983) a new section to read as follows:

The following are exempt from the tax imposed under this chapter:

(1) Vessels exempt from the registration requirements of chapter 88.\_\_\_\_\_ RCW (sections 14 through 22, chapter 7, Laws of 1983);

(2) Vessels used exclusively for commercial fishing purposes;

(3) Vessels owned and operated by the United States, a state of the United States, or any municipality or political subdivision thereof;

(4) Vessels owned by a nonprofit organization or association engaged in character building of boys and girls under eighteen years of age and solely used for such purposes, as determined by the department for the purposes of RCW 84.36.030; and

(5) Vessels owned and held for sale by a dealer, but not rented on a regular commercial basis.

Sec. 46. Section 16, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_\_ are each amended to read as follows:

Vessel registration is required under this chapter except for the following:

(1) ~~((Vessels owned and operated by the United States, another state, or a political subdivision thereof))~~ Military or public vessels of the United States, except recreational-type public vessels;

(2) Vessels owned ~~((and operated by this state, or by any municipality or political subdivision thereof))~~ by a state or subdivision thereof, used principally for governmental purposes and clearly identifiable as such;

(3) Vessels owned by a resident of a country other than the United States or Canada if the vessel is not physically located upon the waters of this state for a period of more than sixty days;

(4) Vessels owned by a resident of another state or a Canadian province if the vessel is registered in accordance with the laws of the state or province in which the owner resides, but only to the extent that a similar exemption or privilege is granted under the laws of that state or province for vessels registered in this state; PROVIDED, That any vessel which is validly registered in another state or a Canadian province and which is physically located in this state for a period of more than sixty days is subject to registration under this chapter;

(5) Vessels used as a ship's ~~((tender or))~~ lifeboat;

(6) Vessels equipped with propulsion machinery of less than ten horse power that:

(a) Are owned by the owner of a vessel for which a valid vessel number has been issued;

(b) Display the number of that numbered vessel followed by the suffix "1" in the manner prescribed by the department; and

(c) Are used as a tender for direct transportation between that vessel and the shore and for no other purpose;

(7) Vessels under sixteen feet in overall length ((or whose primary propulsion is human power)) which have no propulsion machinery of any type;

((7)) (8) Vessels with no propulsion machinery of any type for which the primary mode of propulsion is human power;

~~(9) Vessels which are temporarily in this state undergoing repair or alteration ((and vessels which are designed and used exclusively for racing));~~

~~((8) Vessels used exclusively for commercial fishing purposes; and~~

~~(9)) (10) Vessels primarily engaged in commerce which have or are required to have a valid marine document as a vessel of the United States ((and which are primarily engaged in commerce)); and~~

(11) Vessels primarily engaged in commerce which are owned by a resident of a country other than the United States.

Sec. 47, Section 18, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_\_ are each amended to read as follows:

Application for a vessel registration shall be made to the department or its authorized agent in the manner and upon forms prescribed by the department. The application shall state the name and address of each owner of the vessel and such other information as may be required by the department, shall be signed by at least one owner, and shall be accompanied by a vessel registration fee of six dollars per year and the excise tax imposed under chapter 82.\_\_\_\_ RCW (sections 9 through 13 ~~((of this act)), chapter 7, Laws of 1983~~). Any fees required for licensing agents under RCW 46.01.140 shall be in addition to the six-dollar annual registration fee.

Upon receipt of the application and the registration fee, the department shall assign a registration number and issue a decal for each vessel. The registration number and decal shall be issued and affixed to the vessel in a manner prescribed by the department consistent with the standard numbering system for vessels set forth in volume 33, part 174, of the code of federal regulations. A valid decal affixed as prescribed shall indicate compliance with the annual registration requirements of this chapter.

The vessel registrations and decals are valid for a period of one year, except that the director of licensing may extend or diminish vessel registration periods, and the decals therefor, for the purpose of staggered renewal periods. For registration periods of more or less than one year, the department may collect prorated annual registration fees and excise taxes based upon the number of months in the registration period. Vessel registrations are renewable every year in a manner prescribed by the department upon payment of the vessel registration fee and excise tax. Upon renewing a vessel registration, the department shall issue a new decal to be affixed as prescribed by the department.

A person acquiring a vessel from a dealer or a vessel already validly registered under this chapter shall, within fifteen days of the acquisition or purchase of the vessel, apply to the department or its authorized agent for transfer of the vessel registration, and the application shall be accompanied by a transfer fee of one dollar.

NEW SECTION. Sec. 48. There is added to chapter 88.\_\_\_\_ RCW (sections 14 through 22, chapter 7, Laws of 1983) a new section to read as follows:

(1) The department shall provide for the issuance of vessel certificates of title through the agents appointed under RCW 88.\_\_\_\_ (section 17, chapter 7, Laws of 1983). The fee for a vessel certificate of title is five dollars. Fees for vessel certificates of title shall be deposited in the general fund. The provisions of chapters 46.12 and 46.16 RCW relating to motor vehicle certificates of registration, titles, certificate issuance, ownership transfer, and perfection of security interests, and other provisions which may be applied to vessels subject to this chapter, may be so applied by rule of the department if they are not inconsistent with this chapter.

(2) Whenever a vessel is to be registered for the first time as required by this chapter, application shall be made at the same time for a certificate of title. Any person who purchases or otherwise obtains majority ownership of any vessel subject to the provisions of this chapter shall within fifteen days thereof apply for a new certificate of title which shows the vessel's change of ownership.

(3) Security interests may be released or acted upon as provided by the law under which they arose or were perfected. No new security interest or renewal or extension of an existing security interest is affected except as provided under the terms of this chapter and RCW 46.12.095.

(4) Notice shall be given to the issuing authority by the owner indicated on the certificate of registration within fifteen days of the occurrence of any of the following: Transfer of any part or all of the ownership of a vessel registered under this chapter; any change of address of owner; destruction, loss, abandonment, theft, or recovery of the vessel; or loss or destruction of a valid certificate of registration on the vessel.

Sec. 49. Section 15, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_\_ are each amended to read as follows:

(1) Except as provided in this chapter, no person may own or operate any vessel on the waters of this state unless the vessel has been registered and displays a registration number and a valid decal in accordance with this chapter, except that a vessel which has or is required to have a valid marine document as a vessel of the United States is only required to display a valid decal.

(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.

NEW SECTION. Sec. 50. There is added to chapter 88, RCW (sections 14 through 22, chapter 7, Laws of 1983) a new section to read as follows:

(1) The operator of a vessel involved in a collision, accident, or other casualty, to the extent the operator can do so without serious danger to the operator's own vessel or persons aboard, shall render all practical and necessary assistance to persons affected by the collision, accident, or casualty to save them from danger caused by the incident. Under no circumstances may the rendering of assistance or other compliance with this section be evidence of the liability of such operator for the collision, accident, or casualty. The operator shall also give his or her name, address, and the identification of the operator's vessel to the commission and any person injured and to the owner of any property damaged. These duties are in addition to any duties otherwise imposed by law.

(2) Any person who complies with subsection (1) of this section or who gratuitously and in good faith renders assistance at the scene of a vessel collision, accident, or other casualty, without objection of the person assisted, shall not be held liable for any civil damages as a result of the rendering of assistance or for any act or omission in providing or arranging salvage, towage, medical treatment, or other assistance, where the assisting person acts as any reasonably prudent person would have acted under the same or similar circumstances.

NEW SECTION. Sec. 51. There is added to chapter 82, RCW (sections 9 through 13, chapter 7, Laws of 1983) a new section to read as follows:

(1) Any county may impose a tax, by ordinance or resolution, upon the privilege of using a vessel taxable under RCW 82, (section 9, chapter 7, Laws of 1983) which is moored or stored in the county, if the population of the unincorporated area of the county together with the population of the cities which are parties to an interlocal agreement under chapter 39.34 RCW equal or exceed two-thirds of the total population of the county: PROVIDED, That such agreement shall take into consideration any marine patrols provided as of the effective date of this section. The annual amount of the tax shall be up to fifty cents per foot of the vessel per calendar year, or part thereof.

(2) The excise tax upon a vessel registered for the first time in this state shall be imposed for a twelve-month period, including the month in which the vessel is registered, unless the director of licensing extends or diminishes vessel registration periods for the purpose of staggered renewal periods under RCW 88, (section 18, chapter 7, Laws of 1983). A vessel is registered for the first time in this state when the vessel was not registered in this state for the immediately preceding registration year, or when the vessel was registered in another jurisdiction for the immediately preceding year.

(3) The tax imposed under this section is due and payable to the department of licensing or its agents at the time of registration of a vessel.

(4) The moneys collected under this section shall be distributed by the county monthly to the parties to the interlocal agreement according to the terms of the agreement. Moneys collected under this section shall be used only for administration and enforcement of boating safety, search and rescue operations concerning boating, and boating patrols.

Sec. 52. Section 22, chapter 7, Laws of 1983 and RCW 88, are each amended to read as follows:

(1) A violation of this chapter is a misdemeanor punishable only by a fine not to exceed one hundred dollars per vessel for the first violation. Subsequent violations in the same year are subject to the following fines:

(a) For the second violation, a fine of two hundred dollars per vessel;

(b) For the third and successive violations, a fine of four hundred dollars per vessel.

(2) After subtraction of court costs and administrative collection fees, moneys collected under this section shall be ((used by the jurisdiction collecting the fine exclusively for law enforcement purposes)) credited to the current expense fund of the arresting jurisdiction.

(3) All law enforcement officers shall have the authority to enforce this chapter within their respective jurisdictions.

Sec. 53. Section 84.36.080, chapter 15, Laws of 1961 as amended by section 23, chapter 7, Laws of 1983 and RCW 84.36.080 are each amended to read as follows:

All ships and vessels which are exempt from excise tax under subsection ~~((8) and (9) of section 16 of this 1983 act)~~ (2) of section 45 of this 1983 act and subsection (10) of RCW 88, --- (section 46 of this 1983 act) shall be and are hereby made exempt from all ad valorem taxes, except taxes levied for any state purpose.

NEW SECTION. Sec. 54. There is added to chapter 43.51 RCW a new section to read as follows:

The state parks and recreation commission shall:

(1) Coordinate a state-wide program of boating safety education using to the maximum extent possible existing programs offered by the United States power squadron and the United States coast guard auxiliary;

(2) Adopt rules in accordance with chapter 34.04 RCW, consistent with United States coast guard regulations, standards, and precedents, as needed for the efficient administration and enforcement of this section;

(3) Develop by January 31, 1984, a state-wide inventory of marine state parks and recreational facilities operated by other state and local agencies that are available for marine-related use by persons owning boats in this state;

(4) Enter into agreements aiding the administration of this chapter;

(5) Adopt and administer a casualty and accident reporting program consistent with United States coast guard regulations;

(6) Coordinate with local and state agencies the development of biennial plans and programs for the enhancement of boating safety, safety education, and enforcement of safety rules and laws; allocate money appropriated to the commission for these programs as necessary; and accept and administer any public or private grants or federal funds which are obtained for these purposes under chapter 43.88 RCW; and

(7) Take additional actions necessary to gain acceptance of a program of boating safety for this state under the federal boating safety act of 1971.

NEW SECTION, Sec. 55. (1) One-half of the tax paid for a vessel under section 9, chapter 7, Laws of 1983, before its amendment under this act, shall be allowed as a credit against tax due for the vessel in 1984 under section 44 of this act.

(2) An owner of a vessel covered by a valid certificate of registration issued under federal law may continue to operate the vessel in this state under that federal registration until January 31, 1984. The provisions of chapter 82.\_\_\_\_\_ RCW (sections 9 through 13, chapter 7, Laws of 1983) and chapter 88.\_\_\_\_\_ RCW (sections 14 through 22, chapter 7, Laws of 1983) shall apply to all such vessels after January 31, 1984, except that the excise tax imposed under chapter 82.\_\_\_\_\_ RCW (sections 9 through 13, chapter 7, Laws of 1983) shall be assessed as if such vessels had been required to be registered on June 30, 1983.

NEW SECTION, Sec. 56. There is added to chapter 39.64 RCW a new section to read as follows:

Nothing in this chapter may be deemed to grant to any operating agency organized under chapter 43.52 RCW, or a project of any such operating agency, the authority to levy any tax or assessment not otherwise authorized by law.

NEW SECTION, Sec. 57. There is added to chapter 82.02 RCW a new section to read as follows:

Nothing in this title may be deemed to grant to any operating agency organized under chapter 43.52 RCW, or a project of any such operating agency, the authority to levy any tax or assessment not otherwise authorized by law.

NEW SECTION, Sec. 58. There is added to chapter 84.09 RCW a new section to read as follows:

Nothing in this title may be deemed to grant to any operating agency organized under chapter 43.52 RCW, or a project of any such operating agency, the authority to levy any tax or assessment not otherwise authorized by law.

Sec. 59. Section 6, chapter 94, Laws of 1970 ex. sess. as last amended by section 10, chapter 4, Laws of 1981 2nd ex. sess. and RCW 82.14.050 are each amended to read as follows:

The counties, metropolitan municipal corporations and cities shall contract, prior to the effective date of a resolution or ordinance imposing a sales and use tax, the administration and collection to the state department of revenue, which shall deduct a percentage amount, as provided by contract, not to exceed ~~((two))~~ one and one-half percent of the taxes collected for administration and collection expenses incurred by the department. The remainder of any portion of any tax authorized by this chapter which is collected by the department of revenue shall be deposited by the state department of revenue in the local sales and use tax account hereby created in the general fund. Moneys in the local sales and use tax account may be spent only for distribution to counties, metropolitan municipal corporations, and cities imposing a sales and use tax. All administrative provisions in chapters 82.03, 82.08, 82.12, and 82.32 RCW, as they now exist or may hereafter be amended, shall, insofar as they are applicable to state sales and use taxes, be applicable to taxes imposed pursuant to this chapter.

Sec. 60. Section 7, chapter 94, Laws of 1970 ex. sess. as last amended by section 11, chapter 4, Laws of 1981 2nd ex. sess. and RCW 82.14.060 are each amended to read as follows:

~~((Bimonthly))~~ Monthly the state treasurer shall make distribution from the local sales and use tax account to the counties, metropolitan municipal corporations and cities the amount of tax collected on behalf of each county, metropolitan municipal corporation or city, less the deduction provided for in RCW 82.14.050. The state treasurer shall make the distribution under this section without appropriation.

In the event that any ordinance or resolution imposes a sales and use tax at a rate in excess of the applicable limits contained herein, such ordinance or resolution shall not be considered void in toto, but only with respect to that portion of the rate which is in excess of the applicable limits contained herein.

Sec. 61. Section 33, chapter 7, Laws of 1983 and RCW 82.32.\_\_\_\_\_ are each amended to read as follows:



The revenue accrual account is hereby created in the state general fund. At the close of each fiscal biennium, the state treasurer shall transfer the balance in the state general fund, other than amounts reappropriated for the next fiscal biennium, to this account. Moneys in this account may only be spent after appropriation by statute for the purpose of decreasing the unfunded liability of a state retirement system.

NEW SECTION. Sec. 62. Section 20, chapter 22, Laws of 1982 1st ex. sess. and RCW 35.21.285 are each repealed.

NEW SECTION. Sec. 63. Section 10, chapter 172, Laws of 1981 and RCW 82.04.265 are each repealed.

Sec. 64. Section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.071 are each amended to read as follows:

(1) Upon every person engaging within this state in business as a harvester of timber; as to such persons the amount of tax imposed with respect to such business shall be equal to the stumpage value of timber harvested between July 1, 1983, through June 30, 1984, for sale or for commercial or industrial use multiplied by the ((appropriate)) rate ((as follows:

For timber harvested between October 1, 1974 and June 30, 1983, inclusive;)) of six and one-half percent.

(2) For purposes of this section:

(a) "Harvester" means every person who from his own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services fells, cuts or takes timber for sale or for commercial or industrial use. It does not include persons performing under contract the necessary labor or mechanical services for a harvester.

(b) "Timber" means forest trees, standing or down, on privately or publicly owned land, and except as provided in RCW 84.33.170 includes Christmas trees.

(c) "Stumpage value of timber" means the appropriate stumpage value shown on tables to be prepared by the department of revenue pursuant to subsection (3) of this section.

(d) Timber shall be considered harvested at the time when in the ordinary course of business the quantity thereof by species is first definitely determined. The amount harvested shall be determined by the Scribner Decimal C Scale or other prevalent measuring practice adjusted to arrive at substantially equivalent measurements, as approved by the department of revenue.

(3) The department of revenue shall designate areas containing timber having similar growing, harvesting and marketing conditions to be used as units for the preparation and application of stumpage values. Each year on or before December 31 for use the following January through June 30, and on or before June 30 for use the following July through December 31, the department shall prepare tables of stumpage values of each species or subclassification of timber within such units, which values shall be the amount that each such species or subclassification would sell for at a voluntary sale made in the ordinary course of business for purposes of immediate harvest. Such stumpage values, expressed in terms of a dollar amount per thousand board feet or other unit measure, shall be determined from (a) gross proceeds from sales on the stump of similar timber of like quality and character at similar locations, and in similar quantities, or from (b) gross proceeds from sales of logs adjusted to reflect only the portion of such proceeds attributable to value on the stump immediately prior to harvest, or from a combination of (a) and (b), and shall be determined in a manner which makes reasonable and adequate allowances for age, size, quality, costs of removal, accessibility to point of conversion, market conditions and all other relevant factors. Upon application from any person who plans to harvest damaged timber, the stumpage values for which have been materially reduced from the values shown in the applicable tables due to damage resulting from fire, blow down, ice storm, flood or other sudden unforeseen cause, the department shall revise such tables for any area in which such timber is located and shall specify any additional accounting or other requirements to be complied with in reporting and paying such tax. The preliminary area designations and stumpage value tables and any revisions thereof shall be subject to review by the ways and means committees of the house and senate prior to finalization. Tables of stumpage values shall be signed by the director or his designee and authenticated by the official seal of the department. A copy thereof shall be mailed to anyone who has submitted to the department a written request therefor.

(4) On or before the sixtieth day after the date of final adoption of any stumpage value tables, any harvester may appeal to the board of tax appeals for a revision of stumpage values for an area determined pursuant to subsection (3) of this section.

(5) There are hereby created in the state treasury a state timber tax account A and a state timber tax reserve account in the state general fund and any interest earned on the investment of cash balances shall be deposited in these accounts. The revenues from the tax imposed by subsection (1) of this section on timber harvested from privately owned land shall be deposited in state timber tax account A and state timber tax reserve account as follows:

YEAR OF COLLECTION	ACCOUNT A	RESERVE ACCOUNT
1973 and thereafter	100%	0%

The revenues from the tax imposed by subsection (1) of this section on timber harvested from publicly owned land shall be deposited in the state general fund.

(6) The tax imposed under this section shall be computed with respect to timber harvested each calendar quarter and shall be due and payable in quarterly installments and remittance therefor shall be made on or before the last day of the month next succeeding the end of the quarterly period in which the tax accrued. The taxpayer on or before such date shall make out a return, upon such forms and setting forth such information as the department of revenue may require, showing the amount of the tax for which he is liable for the preceding quarterly period, and shall sign and transmit the same to the department of revenue, together with a remittance for such amount.

(7) The taxes imposed by this section shall be in addition to any taxes imposed upon the same persons pursuant to one or more of sections RCW 82.04.230 to 82.04.290, inclusive, and RCW 82.04.440, and none of such sections shall be construed to modify or interact with this section in any way, except RCW 82.04.450 and 82.32.045 shall not apply to the taxes imposed by this section.

(8) Any harvester incurring less than ten dollars tax liability under this section in any calendar quarter shall be excused from the payment of such tax, but may be required by the department of revenue to file a return even though no tax may be due.

NEW SECTION, Sec. 65. There is added to chapter 43.06 RCW a new section to read as follows:

Beginning in January, 1984, and in January of every even-numbered year thereafter, the department of revenue shall submit to the legislature prior to the regular session a listing of the amount of reduction for the current and next biennium in the revenues of the state or the revenues of local government collected by the state as a result of tax exemptions. The listing shall include an estimate of the revenue lost from the tax exemption, the purpose of the tax exemption, the persons, organizations, or parts of the population which benefit from the tax exemption, and whether or not the tax exemption conflicts with another state program. The listing shall include but not be limited to the following revenue sources:

- (1) Real and personal property tax exemptions under Title 84 RCW;
- (2) Business and occupation tax exemptions, deductions, and credits under chapter 82.04 RCW;
- (3) Retail sales and use tax exemptions under chapters 82.08, 82.12, and 82.14 RCW;
- (4) Public utility tax exemptions and deductions under chapter 82.16 RCW;
- (5) Conveyance tax exemptions under chapter 82.20 RCW;
- (6) Food fish and shellfish tax exemptions under chapter 82.27 RCW;
- (7) Leasehold excise tax exemptions under chapter 82.29A RCW;
- (8) Motor vehicle and special fuel tax exemptions and refunds under chapters 82.36 and 82.38 RCW;
- (9) Aircraft fuel tax exemptions under chapter 82.42 RCW;
- (10) Motor vehicle excise tax exclusions under chapter 82.44 RCW; and
- (11) Insurance premiums tax exemptions under chapter 48.14 RCW.

The department of revenue shall prepare the listing required by this section with the assistance of any other agencies or departments as may be required.

The department of revenue shall present the listing to the ways and means committees of each house in public hearings.

Beginning in January, 1984, and every four years thereafter the governor is requested to review the report from the department of revenue and may submit recommendations to the legislature with respect to the repeal or modification of any tax exemption. The ways and means committees of each house and the appropriate standing committee of each house shall hold public hearings and take appropriate action on the recommendations submitted by the governor.

As used in this section, "tax exemption" means an exemption, exclusion, or deduction from the base of a tax; a credit against a tax; a deferral of a tax; or a preferential tax rate.

NEW SECTION, Sec. 66. There is appropriated from the general fund to the parks and recreation commission for the fiscal year ending June 30, 1984, the sum of seventy-nine thousand dollars, or so much thereof as may be necessary, for the operation of a boating safety and education program established under section 54 of this act.

NEW SECTION, Sec. 67. This act shall not be construed as affecting any existing right acquired or liability or obligation incurred under the sections amended or repealed in this act or under any rule, regulation, or order adopted under those sections, nor as affecting any proceeding instituted under those sections.

NEW SECTION, Sec. 68. 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. 69. (1) 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, 1983, except that:

- (a) Sections 44 through 52, and 54, 55, 67, and 68 of this act shall take effect June 30, 1983;

(b) Sections 1 through 4 of this act shall take effect July 1, 1983, except as provided in subsection (2) of this section:

(c) Sections 21, 22, 24, and 53 of this act shall take effect January 1, 1984. Sections 24 and 53 of this act shall be effective for property taxes levied in 1983 and due in 1984, and thereafter; and

(d) The extension under this act of the retail sales tax to certain sales of telephone service shall apply to telephone service billed on or after July 1, 1983, whether or not such service was rendered before that date.

(2) The legislature finds that the amendments contained in sections 1 through 4 of this act constitute an integrated and inseparable entity and if any one or more of those sections does not become law, the remaining sections shall not take effect. If sections 1 through 4 of this act do not become law, the governor shall in that event reduce approved allotments under RCW 43.88.110 for the 1983-85 biennium by four percent."

#### MOTION

On motion of Senator Lee, the following amendment to the McDermott amendment was adopted:

On page 53, after line 28, insert the following:

NEW SECTION 67. In the event that initiative 452 does not receive a favorable vote of the people, on or after January 1, 1984, whenever revenues derived from Revenue Act sources as projected by the office of financial management in the quarterly Economic and Revenue Forecast exceed by more than \$100,000,000 the estimate upon which the 1983-85 biennial budget is based, the treasurer shall transfer 65 percent of all revenue in excess of \$50,000,000 to the Law Enforcement Officers' and Firefighters' Retirement Fund and 35 percent of all revenue in excess of \$50,000,000 to the Teachers' Retirement Fund. Transfers in the fourth quarter of the second year of the biennium shall be made in accordance with Section 33, chapter 7, Laws of 1983 and RCW 82.32....

Renumber the remaining sections consecutively.

#### MOTION

Senator Hayner moved the following amendments by Senators Hayner and Lee to the amendment be considered and adopted simultaneously:

On page 1, on line 10, after "percent", insert "until and including June 30, 1985, and one percent thereafter"

On page 2, on line 7, after "percent", insert "until and including June 30, 1985, and one percent thereafter"

On page 7, after line 25, insert the following new subsection: "(5) This section shall expire July 1, 1985."

On page 8, on line 25, after "(3)" insert: "Until and including the thirtieth day of June, 1985."

On page 10, on line 22, after "(2)" insert: "Until and including June 30, 1985."

On page 11, on line 23, after "(2)" insert: "Until and including the thirtieth day of June, 1985."

On page 12, on line 21, after "(2)" insert: "Until and including the thirtieth day of June, 1985."

On page 13, on line 13, after "(4)" insert: "Until and including the thirtieth day of June, 1985."

On page 14, on line 15, after "(2)" insert: "Until and including the thirtieth day of June, 1985."

On page 14, on line 33, after "(2)" insert: "Until and including the thirtieth day of June, 1985."

On page 15, on line 16, after "(2)" insert: "Until and including the thirtieth day of June, 1985."

On page 12, on line 34, after "(5)" insert: "Until and including the thirtieth day of June, 1985."

On page 17, on line 4, after "(5)" insert: "Until and including the thirtieth day of June, 1985."

On page 17, on line 17, after "(2)" insert: "Until and including the thirtieth day of June, 1985."

On page 18, on line 7, after "(5)" insert: "Until and including the thirtieth day of June, 1985."

On page 18, on line 2, after "(2)" insert: "Until and including the thirtieth day of June, 1985."

Debate ensued.

The President declared the question before the Senate to be adoption of the amendments by Senators Hayner and Lee to the McDermott amendment.

The motion by Senator Hayner carried and the amendments to the amendment were adopted.

The President declared the question before the Senate to be adoption of the McDermott amendment, as amended.

The motion by Senator McDermott carried and the amendment, as amended, was adopted.

#### MOTION

At 11:17 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 11:24 p.m.

There being no objection, the Senate resumed consideration of Engrossed Substitute House Bill No. 52.

#### MOTION

On motion of Senator McDermott, the following title amendment was adopted:

On page 1, line 1 of the title, after "taxation," insert "amending section 3, chapter 65, Laws of 1970 ex. sess. as amended by section 1, chapter 9, Laws of 1983 and RCW 82.04.255; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 2, chapter 9, Laws of 1983 and RCW 82.04.290; amending section 3, chapter 9, Laws of 1983 and RCW 82.04....; amending section 3, chapter 130, Laws of 1975-76 2nd ex. sess. as last amended by section 4, chapter 9, Laws of 1983 and RCW 82.04.2901; amending section 16, chapter 10, Laws of 1982 as last amended by section 4, chapter \_\_\_\_\_ (SSB 3244), Laws of 1983 1st ex. sess. and RCW 82.04.260; amending section 31, chapter 35, Laws of 1982 1st ex. sess. as last amended by section 8, chapter 7, Laws of 1983 and RCW 82.02.030; amending section .14.02, chapter 79, Laws of 1947 as last amended by section 1, chapter 10, Laws of 1982 2nd ex. sess. and RCW 48.14.020; amending section 2, chapter 278, Laws of 1957 as last amended by section 18, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.020; amending section 6, chapter 366, Laws of 1977 ex. sess. as amended by section 19, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.025; amending section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 23, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.210; amending section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 24, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.290; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 3, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.150; amending section 82.16.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 5, Laws of 1982 2nd ex. sess. and RCW 82.16.020; amending section 82.20.010, chapter 15, Laws of 1961 as amended by section 7, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.20.010; amending section 82.24.020, chapter 15, Laws of 1961 as last amended by section 8, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.24.020; amending section 82.26.020, chapter 15, Laws of 1961 as last amended by section 9, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.26.020; amending section 2, chapter 98, Laws of 1980 as last amended by section 6, chapter 284, Laws of 1983 and RCW 82.27.020; amending section 3, chapter 61, Laws of 1975-76 2nd ex. sess. as amended by section 11, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.29A.030; amending section 82.44.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.44.020; amending section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 14, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.45.060; amending section 82.48.010, chapter 15, Laws of 1961 as last amended by section 239, chapter 158, Laws of 1979 and RCW 82.48.010 amending section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030 amending section 82.32.090, chapter 15, Laws of 1961 as last amended by section 32, chapter 7, Laws of 1983 and RCW 82.32.090; amending section 6, chapter 40, Laws of 1973 2nd ex. sess. as amended by section 3, chapter 141, Laws of 1981 and RCW 84.36.800; amending section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 144, Laws of 1981 and RCW 82.04.050; amending section 82.04.060, chapter 15, Laws of 1961 and RCW 82.04.060; amending section 82.04.190, chapter 15, Laws of 1961 as last amended by section 2, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.190; amending section 82.04.460, chapter 15, Laws of 1961 as amended by section 9, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.460; amending section 82.04.470, chapter 15, Laws of 1961 as amended by section 43, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.470; amending section 3, chapter 94, Laws of 1970 ex. sess. as last amended by section 1, chapter 211, Laws of 1982 and RCW 82.14.020; amending section 82.16.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1982 2nd ex. sess. and RCW 82.16.010; amending section 6, chapter 134, Laws of 1972 ex. sess. as last amended by section 7, chapter 99, Laws of 1983 and RCW 35.21.710; amending section 7, chapter 134, Laws of 1972 ex. sess. as amended by section 7, chapter 144, Laws of 1981 and RCW 35A.82.050; amending section 8, chapter 144, Laws of 1981 and RCW 35.21.712; amending section 9, chapter 144, Laws of 1981 and RCW 35A.82.055; amending section 10, chapter 144, Laws of 1981 and RCW 35.21.714; amending section 11, chapter 144, Laws of 1981 and RCW 35A.82.060; amending section 2, chapter 49, Laws of 1982 1st ex. sess. and RCW 35.21.860; amending section 80.04.270, chapter 14, Laws of 1961 as amended by section 5, chapter 144, Laws of 1981 and RCW 80.04.270; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 7, Laws of 1983 and RCW 82.08.020; amending section 39,

chapter 37, Laws of 1980 as amended by section 1, chapter 5, Laws of 1982 1st ex. sess. and RCW 82.08.0273; amending section 9, chapter 7, Laws of 1983 and RCW 82.\_\_\_\_\_; amending section 16, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_\_; amending section 18, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_\_; amending section 15, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_\_; amending section 22, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_\_; amending section 84.36.080, chapter 15, Laws of 1961 as amended by section 23, chapter 7, Laws of 1983 and RCW 84.36.080; amending section 6, chapter 94, Laws of 1970 ex. sess. as last amended by section 10, chapter 4, Laws of 1981 2nd ex. sess. and RCW 82.14.050; amending section 7, chapter 94, Laws of 1970 ex. sess. as last amended by section 11, chapter 4, Laws of 1981 2nd ex. sess. and RCW 82.14.060; amending section 33, chapter 7, Laws of 1983 and RCW 82.32.\_\_\_\_; amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.071; adding a new section to chapter 39.64 RCW; adding a new section to chapter 43.06 RCW; adding a new section to chapter 43.51 RCW; adding new sections to chapter 82.\_\_\_\_ RCW (sections 9 through 13, chapter 7, Laws of 1983); adding new sections to chapter 88.\_\_\_\_ RCW (sections 14 through 22, chapter 7, Laws of 1983); adding a new section to chapter 82.02 RCW; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 84.09 RCW; creating new sections; repealing section 20, chapter 22, Laws of 1982 1st ex. sess. and RCW 35.21.285; repealing section 10, chapter 172, Laws of 1981 and RCW 82.04.265; making an appropriation; providing effective dates; and declaring an emergency."

#### MOTION

On motion of Senator McDermott, the rules were suspended, Engrossed Substitute House Bill No. 52, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage. Debate ensued.

#### POINT OF INQUIRY

Senator Rasmussen: "Senator McDermott, in reading the bill, the \$65,000,000 of new taxes on the telephone lines, I understand, is not going on residential lines."

Senator McDermott: "That is correct."

Senator Rasmussen: "And does that new tax apply to long distance and interstate?"

Senator McDermott: "No, it doesn't. It's prohibited by federal law."

Senator Rasmussen: "So, it is applied only to commercial establishments within the state?"

Senator McDermott: "That is correct."

Senator Rasmussen: "The other question I have on the bill, Senator McDermott, is Article II of the Constitution says that the single subject in a legislative bill shall be expressed in the title. This contains an appropriation in addition to revenue. Is that two subjects in one bill and should it be expressed in the title and if it was expressed in the title, would the Supreme Court throw it out?"

Senator McDermott: "Senator Rasmussen, the boat amendments, which are contained in this bill are all a part of a package of amendments relating to the taxation of boats. A part of the requirement for acceptance by the Coast Guard is a boat program which requires us to appropriate some of the money for that program which is in this bill. For that reason, I think it's a single subject within the bill and does not have to be expressed in a title nor will it lead to a court challenge."

Senator Rasmussen: "Well they check, Senator McDermott. I can recall being called back into a special session because the Supreme Court did rule that when you have an appropriation in a tax package that you have two subjects. A number of years ago we had a special session."

Further debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 52, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute House Bill No. 52, as amended by the Senate, and the bill failed to pass the Senate by the following vote: Yeas, 22; nays, 25; absent, 1; excused, 1.

Voting yea: Senators Bauer, Bender, Bluechel, Bottiger, Fleming, Gaspard, Granlund, Hansen, Hughes, Hurley, Jones, Lee, McDermott, McManus, Moore, Owen, Shinpoch, Talmadge, Thompson, Vognlid, Warnke, Williams - 22.

Voting nay: Senators Barr, Benitz, Clarke, Conner, Craswell, Deccio, Fuller, Goitz, Guess, Haley, Hayner, Hemstad, Kiskaddon, McCaslin, Metcalf, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, von Reichbauer, Wojahn, Zimmerman - 25.

Absent: Senator Woody - 1.

Excused: Senator Pullen - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 52, as amended by the Senate, having failed to receive the constitutional majority, was declared lost.

#### MESSAGE FROM THE HOUSE

May 24, 1983

Mr. President:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 50, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### INTRODUCTION AND FIRST READING OF HOUSE BILL

ESHB 50 by Committee on State Government (originally sponsored by Representatives Grimm, Cantu and Kaiser) (by Governor Spellman request)

Modifying salaries of elected officials.

#### MOTION

On motion of Senator Shinpoch, the rules were suspended, Engrossed Substitute House Bill No. 50 was advanced to second reading and placed on the second reading calendar.

#### MOTION

At 11:39 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 11:49 p.m.

#### MESSAGE FROM THE HOUSE

May 24, 1983

Mr. President:

The House adopted the Report of the Free Conference Committee on SECOND SUBSTITUTE SENATE BILL NO. 3155 and passed the bill as amended by the Free Conference Committee, and the same is therewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### REPORT OF FREE CONFERENCE COMMITTEE

May 24, 1983

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SECOND SUBSTITUTE SENATE BILL NO. 3155, requiring a high technology education training program, have had the same under consideration, and we recommend that the bill be amended as follow:

(See Report of Conference Committee on Second Substitute Senate Bill No. 3155, read in earlier today)

Signed by: Senators Gaspard, Patterson and Talmadge; Representatives Heck, Sommers and McDonald.

#### MOTION

On motion of Senator Gaspard, the Report of the Free Conference Committee on Second Substitute Senate Bill No. 3155 was adopted.

The President declared the question before the Senate to be the roll call on final passage of Second Substitute Senate Bill No. 3155, as amended by the Free Conference Committee.

## ROLL CALL

The Secretary called the roll on final passage of Second Substitute Senate Bill No. 3155, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 43; nays, 4; absent, 1; excused, 1.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Boltiger, Clarke, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rasmussen, Rinehart, Sellar, Shipoch, Talmadge, Thompson, Vognilid, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 43.

Voting nay: Senators Benitz, Craswell, Guess, McCaslin - 4.

Absent: Senator McDermott - 1.

Excused: Senator Pullen - 1.

SECOND SUBSTITUTE SENATE BILL NO. 3155, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Goltz moved that the Senate reconsider the vote by which Engrossed Substitute House Bill No. 52, as amended by the Senate, failed to pass the Senate.

## PARLIAMENTARY INQUIRY

Senator Guess: "Mr. President, I raise the point of parliamentary inquiry that Rule 25 says that no bill shall embrace more than one subject and that shall be expressed in the title and I think that you will find that there is more than one subject in the bill."

## REPLY BY THE PRESIDENT

President Cherberg: "Senator Guess, that is a constitutional question and the President has to respectfully decline to rule on that particular point."

Senator Guess: "May I respectfully request clarification then? Why is it in the Senate Rules?"

President Cherberg: "The President believes that it's in the Senate Rules to remind the Senators of the constitutional provision."

The President declared the question before the Senate to be the motion by Senator Goltz to reconsider the vote by which Engrossed Substitute House Bill No. 52, as amended by the Senate, failed to pass the Senate.

The motion by Senator Goltz carried and the Senate resumed consideration of Engrossed Substitute House Bill No. 52, as amended by the Senate, on reconsideration.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 52, as amended by the Senate, on reconsideration.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute House Bill No. 52, as amended by the Senate, on reconsideration, and the bill passed the Senate by the following vote: Yeas, 27; nays, 21; excused, 1.

Voting yea: Senators Bauer, Bender, Bluechel, Boltiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, Jones, Lee, McDermott, McManus, Moore, Owen, Peterson, Rinehart, Shipoch, Talmadge, Thompson, Vognilid, Warnke, Williams, Woody - 27.

Voting nay: Senators Barr, Benitz, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Kiskaddon, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Rasmussen, Sellar, von Reichbauer, Wojahn, Zimmerman - 21.

Excused: Senator Pullen - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 52, as amended by the Senate, on reconsideration, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Senator Zimmerman, Engrossed Substitute House Bill No. 52, as amended by the Senate, was ordered immediately transmitted to the House.

## MOTION

Senator McDermott moved that the Committee on Rules be relieved of further consideration of Engrossed Substitute House Bill No. 605.

## POINT OF ORDER

Senator Shinpoch: "Mr. President, I do not believe we're under the eighth order of business, which would be proper to make that motion."

## REPLY BY THE PRESIDENT

President Cherberg: "Your remarks are well taken, Senator. Senator McDermott, your motion is not properly before the Senate."

## MOTION

Senator McDermott moved that the Senate advance to the eighth order of business.

Senator Bottiger demanded a roll call and the demand was sustained.  
Debate ensued.

## CALL OF THE SENATE

Senators Bottiger, Shinpoch and Patterson demanded a Call of the Senate and the demand was not sustained.

## MOTION

On motion of Senator McDermott, and there being no objection, the motion to advance to the eighth order of business was withdrawn.

## PARLIAMENTARY INQUIRY

Senator Rasmussen: "Mr. President, could I ask the President what time it is?"

## REPLY BY THE PRESIDENT

President Cherberg: "It is 18, 19, 20 seconds after midnight, Senator."

Senator Rasmussen: "Mr. President, I would call your attention to the fact that under the constitutional provision that the thirty days of the special session has now ended by twenty seconds. I would ask the President--"

President Cherberg: "Twenty-five, thirty seconds--"

Senator Rasmussen: "Thank you, Mr. President, you have a more accurate clock than mine. I've got to take it to the jeweler tomorrow."

## MOTION

AT 12:01 a.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 1:23 a.m.

## MESSAGES FROM THE HOUSE

May 24, 1983

Mr. President:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 466, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 24, 1983

Mr. President:

The Speaker has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 245, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 24, 1983

Mr. President:

The House has passed:



REENGROSSED SUBSTITUTE SENATE BILL NO. 3780, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

SIGNED BY THE PRESIDENT

The President signed:  
SECOND SUBSTITUTE SENATE BILL NO. 4102.

SIGNED BY THE PRESIDENT

The President signed:  
SUBSTITUTE SENATE BILL NO. 3780.

SIGNED BY THE PRESIDENT

The President signed:  
SECOND SUBSTITUTE HOUSE BILL NO. 245.

SIGNED BY THE PRESIDENT

The President signed:  
SUBSTITUTE HOUSE BILL NO. 466.

SIGNED BY THE PRESIDENT

The President signed:  
SUBSTITUTE SENATE BILL NO. 4245.

SIGNED BY THE PRESIDENT

The President signed:  
SECOND SUBSTITUTE SENATE BILL NO. 3155.

There being no objection, the President reverted the Senate to the third order of business.

PROCLAMATION BY THE GOVERNOR

The Washington State Legislature has concluded the 1983 First Extraordinary Session without resolving the revenue needs of the state. It is therefore necessary for me to convene the legislature in a second extraordinary session for the purpose of addressing only the following:

RESB 3909  
ESHB 52  
SSB 3290  
ESHB 605

NOW, THEREFORE, I, John Spellman, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the State Constitution, do hereby convene the Washington State Legislature in a second extraordinary (special) session immediately for a period up to 4:00 p.m., on May 25, 1983, subject to agreement by both houses to the said time limitation and limitations of purposes. This Proclamation shall not remain in effect unless each house adopts said time and purposes limitations before proceeding with this business.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia at 1:08 a.m., this 25th day of May, A.D., nineteen hundred and eighty three.

John Spellman  
Governor of Washington

(Seal)  
By the Governor:  
Ralph Munro  
Secretary of State

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

## MESSAGE FROM THE HOUSE

May 24, 1983

Mr. President:  
 The House has adopted:  
 HOUSE CONCURRENT RESOLUTION NO. 28, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

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

## INTRODUCTION AND FIRST READING OF HOUSE BILL

HCR 28 by Representatives Heck and G. Nelson

Returning all legislative measures to their house of origin.

## MOTIONS

On motion of Senator Goltz, the rules were suspended, House Concurrent Resolution No. 28 was advanced to second reading and read the second time.

On motion of Senator Goltz, the rules were suspended, House Concurrent Resolution No. 28 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

## MESSAGE FROM THE HOUSE

May 24, 1983

Mr. President:  
 The Speaker has signed:  
 SECOND SUBSTITUTE SENATE BILL NO. 3155,  
 SUBSTITUTE SENATE BILL NO. 3780,  
 SECOND SUBSTITUTE SENATE BILL NO. 4102,  
 SUBSTITUTE SENATE BILL NO. 4245, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## MESSAGE FROM THE HOUSE

May 24, 1983

Mr. President:  
 The Speaker has signed:  
 HOUSE CONCURRENT RESOLUTION NO. 28, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## SIGNED BY THE PRESIDENT

The President signed:  
 HOUSE CONCURRENT RESOLUTION NO. 28.

## MESSAGE FROM THE HOUSE

May 24, 1983

Mr. President:  
 In accordance with the provisions of HOUSE CONCURRENT RESOLUTION NO. 28, the House herewith transmits to the Senate the following listed Senate measures.

ESB 3044  
 SB 3045  
 SSB 3074  
 SB 3083  
 ESB 3099  
 SSB 3158  
 SB 3169  
 SSB 3181  
 2SSB 3187  
 ESSB 3226  
 SB 3238  
 ESSB 3290

ESB 3309  
SB 3379  
ESSB 3387  
ESB 3475  
SSB 3504  
ESB 3507  
SSB 3539  
ESB 3647  
2SSB 3722  
ESB 3750  
ESSB 3766  
E2SSB 3768  
SSB 3800  
ESSB 3814  
SB 3834  
ESSB 3838  
ESB 3850  
ESB 3910  
SSB 3982  
ESSB 4055  
SSB 4063  
ESSB 4099  
ESSB 4158  
SSJM 112  
SSCR 112  
ESCR 116  
ESCR 121  
SCR 122  
SCR 123  
SCR 128  
SCR 129  
SCR 131  
SCR 133  
SCR 134  
and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

MOTION

On motion of Senator Fleming, the Senate Journal of the Thirtieth Day of the 1983 First Special Session of the Forty-eighth Legislature, was approved.

MOTION

At 1:43 a.m., on motion of Senator Goltz, the Senate of the 1983 First Special Session of the Forty-eighth Legislature adjourned SINE DIE.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.



# SENATE JOURNAL

— 1983 —

VOLUME 2

SECOND SPECIAL SESSION  
OF THE

FORTY-EIGHTH LEGISLATURE

## STATE OF WASHINGTON

AT

## OLYMPIA, the State Capitol

Convened May 25, 1983  
Adjourned Sine Die May 25, 1983

Compiled, Edited and Indexed by  
SID SNYDER, *Secretary of the Senate*



MARY WILEY  
*Minute and Journal Clerk*

---

JOHN A. CHERBERG, *President of the Senate*  
H. A. "BARNEY" GOLTZ, *President Pro Tempore*  
A. L. "SLIM" RASMUSSEN, *Vice President Pro Tempore*



**JOURNAL OF THE SENATE  
STATE OF WASHINGTON  
1983 2ND SPECIAL SESSION  
FORTY-EIGHTH LEGISLATURE**

**FIRST DAY**

---

**MORNING SESSION**

---

Senate Chamber, Olympia, Wednesday, May 25, 1983  
The Senate was called to order at 1:44 a.m. by President Cherberg.

**PROCLAMATION BY THE GOVERNOR**

The Washington State Legislature has concluded the 1983 First Extraordinary Session without resolving the revenue needs of the state. It is therefore necessary for me to convene the legislature in a second extraordinary session for the purpose of addressing only the following:

RESB 3909

ESHB 52

SSB 3290

ESHB 605

NOW, THEREFORE, I, John Spellman, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the State Constitution, do hereby convene the Washington State Legislature in a second extraordinary (special) session immediately for a period up to 4:00 p.m., on May 25, 1983, subject to agreement by both houses to the said time limitation and limitations of purposes. This Proclamation shall not remain in effect unless each house adopts said time and purposes limitations before proceeding with this business.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia at 1:08 a.m., this 25th day of May, A.D., nineteen hundred and eighty three.

John Spellman  
Governor of Washington

(Seal)

By the Governor:  
Ralph Munro  
Secretary of State

**MOTION**

At 1:45 a.m., on motion of Senator Goltz, the Senate recessed until 9:00 a.m.

**SECOND MORNING SESSION**

The Senate was called to order at 9:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Benitz, Fuller, Gaspard, Guess, Haley, Hurley, McCaslin, Pullen, Rasmussen, Thompson and Woody. On motion of Senator Bluechel, Senators Benitz, Fuller, Guess, Haley and Pullen were excused.

**MOTIONS**

On motion of Senator Shinpoch, the Senate advanced to the eighth order of business.

On motion of Senator Shinpoch, the Committee on Rules was relieved of further consideration of Reengrossed Senate Bill No. 3909 and Engrossed Substitute Senate Bill No. 3290.

On motion of Senator Shinpoch, the rules were suspended, Reengrossed Senate Bill No. 3909 and Engrossed Substitute Senate Bill No. 3290 were advanced to second reading and placed on the second reading calendar.

On motion of Senator Shinpoch, the Senate advanced to the sixth order of business.

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3290, by Committee on Natural Resources (originally sponsored by Senators Moore, Barr, Goltz and Williams)

Modifying provisions relating to the lease of aquatic lands.

The bill was read the second time.

#### MOTION

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

On page 2, line 9, after "2." strike all material through "owner." on line 12 and insert "The abutting residential owner to state-owned shorelands, tidelands or related beds of navigable waters, other than harbor areas, may install and maintain without charge a dock on such areas if used exclusively for private recreational purposes and the area is not subject to prior rights. This permission is subject to applicable local regulations governing construction, size, and length of the dock. This permission may be revoked by the department upon finding of public necessity which is limited to the protection of waterward access or ingress rights of other landowners or public health and safety. The revocation may be appealed as a contested case under chapter 34.04 RCW. Nothing in this section prevents the abutting owner from obtaining a lease if otherwise provided by law."

#### MOTION

On motion of Senator Owen, the rules were suspended, Reengrossed Substitute Senate Bill No. 3290 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Reengrossed Substitute Senate Bill No. 3290.

#### ROLL CALL

The Secretary called the roll on final passage of Reengrossed Substitute Senate Bill No. 3290 and the bill passed the Senate by the following vote: Yeas, 33; nays, 5; absent, 6; excused, 5.

Voting yea: Senators Barr, Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Goltz, Granlund, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Quigg, Rinehart, Sellar, Talmadge, Vognild, von Reichbauer, Warnke, Williams, Zimmerman - 33.

Voting nay: Senators Fleming, Hughes, McDermott, Shinpoch, Wojahn - 5.

Absent: Senators Gaspard, Hurley, McCaslin, Rasmussen, Thompson, Woody - 6.

Excused: Senators Benitz, Fuller, Guess, Haley, Pullen - 5.

RENGROSSED SUBSTITUTE SENATE BILL NO. 3290, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 9:25 a.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 12:01 p.m.

#### MOTION

At 12:01 p.m., on motion of Senator Shinpoch, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.



## MOTION

At 1:30 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 2:02 p.m.

## MOTION

On motion of Senator Bottiger, the Senate began consideration of Reengrossed Senate Bill No. 3909.

## SECOND READING

REENGROSSED SENATE BILL NO. 3909, by Senator McDermott

Relating to revenue and taxation.

The bill was read the second time.

## MOTION

Senator McDermott moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 3, chapter 65, Laws of 1970 ex. sess. as amended by section 1, chapter 9, Laws of 1983 and RCW 82.04.255 are each amended to read as follows:

Upon every person engaging within the state as a real estate broker; as to such persons, the amount of the tax with respect to such business shall be equal to the gross income of the business, multiplied by the rate of ~~((two))~~ 1.50 percent ((until and including June 30, 1983, and one percent thereafter)); PROVIDED, That this tax shall be imposed only if all of the amendments contained in sections 2 through 4 of this 1983 act become law.

The measure of the tax on real estate commissions earned by the real estate broker shall be the gross commission earned by the particular real estate brokerage office including that portion of the commission paid to salesmen or associate brokers in the same office on a particular transaction; PROVIDED, HOWEVER, That where a real estate commission is divided between an originating brokerage office and a cooperating brokerage office on a particular transaction, each brokerage office shall pay the tax only upon their respective shares of said commission; AND PROVIDED FURTHER, That where the brokerage office has paid the tax as provided herein, salesmen or associate brokers within the same brokerage office shall not be required to pay a similar tax upon the same transaction.

Sec. 2. Section 82.04.290, chapter 15, Laws of 1961 as last amended by section 2, chapter 9, Laws of 1983 and RCW 82.04.290 are each amended to read as follows:

Upon every person engaging within this state in any business activity other than or in addition to those enumerated in RCW 82.04.230, 82.04.240, 82.04.250, 82.04.255, 82.04.260, 82.04.270, and 82.04.280; as to such persons the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of ~~((two))~~ 1.50 percent ((until and including June 30, 1983, and one percent thereafter)); PROVIDED, That this tax shall be imposed only if all of the amendments contained in sections 1, 3, and 4 of this 1983 act become law. This section includes, among others, and without limiting the scope hereof (whether or not title to materials used in the performance of such business passes to another by accession, confusion or other than by outright sale), persons engaged in the business of rendering any type of service which does not constitute a "sale at retail" or a "sale at wholesale." The value of advertising, demonstration, and promotional supplies and materials furnished to an agent by his principal or supplier to be used for informational, educational and promotional purposes shall not be considered a part of the agent's remuneration or commission and shall not be subject to taxation under this section.

Sec. 3. Section 3, chapter 9, Laws of 1983 and RCW 82.04.... are each amended 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 82.04.220 through 82.04.240, inclusive, and RCW 82.04.260 through 82.04.280, inclusive, an additional tax equal to ~~((thirty-two))~~ ten percent multiplied by the tax payable under RCW 82.04.220 through 82.04.240, inclusive, and RCW 82.04.260 through 82.04.280, inclusive; PROVIDED, That this additional tax shall be imposed only if all of the amendments contained in sections 1, 2, and 4 of this 1983 act become law.

(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, or 82.08.0263, as a part of the tax imposed under RCW 82.04.250, an additional tax equal to ~~((thirty-two))~~ ten percent multiplied by the tax payable on those activities under RCW 82.04.250; PROVIDED, That this additional tax shall be imposed only if all of the amendments contained in sections 1, 2, and 4 of this 1983 act become law.

(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, (~~1983~~) 1985.

Sec. 4. Section 3, chapter 130, Laws of 1975-76 2nd ex. sess. as last amended by section 4, chapter 9, Laws of 1983 and RCW 82.04.2901 are each amended to read as follows:

(~~From and after the first day of April, 1982;~~) Until and including the thirtieth day of June, (~~1983~~) 1985, there is levied and shall be collected from every person, other than persons taxed under RCW 82.04.... (section 3 (~~of this 1983 act~~)), chapter 9, Laws of 1983, for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW 82.04.250, an additional tax equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under the provisions of RCW 82.04.250: PROVIDED, That as to such persons making sales at retail in border counties other than retail sales of telephone services, as defined in section 26 of this 1983 act, such additional tax shall be levied and collected from such persons (~~making sales at retail in border counties~~) 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: PROVIDED FURTHER, That the additional tax under this section shall be imposed only if all of the amendments contained in sections 1 through 3 of this 1983 act become law.

To facilitate collection of this additional tax, 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.

Sec. 5. Section 16, chapter 10, Laws of 1982 as last amended by section 4, chapter \_\_\_\_ (SSB 3244), Laws of 1983 1st ex. sess. and by section 4, chapter \_\_\_\_ (SHB 72), Laws of 1983 1st ex. sess. and RCW 82.04.260 are each reenacted and 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 thirty-three one-hundredths of one percent.

(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. 6 Section 31, chapter 35, Laws of 1982 1st ex. sess. as last amended by section 8, chapter 7, Laws of 1983 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), 82.20.010(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(~~PROVIDED: That the additional tax imposed by RCW 82.44.020(5) shall be continued at the rate of three percent for the period July 1 through September 30, 1983~~);

(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. 7. Section .14.02, chapter 79, Laws of 1947 as last amended by section 1, chapter 10, Laws of 1982 2nd ex. sess. and RCW 48.14.020 are each amended to read as follows:

(1) Subject to other provisions of this chapter, each authorized insurer except title insurers shall on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax on premiums. Except as provided in subsection (2) of this section, such tax shall be in the amount of two and sixteen one-hundredths percent of all premiums, excluding amounts returned to or the amount of reductions in premiums allowed to holders of industrial life policies for payment of premiums directly to an office of the insurer, collected or received by the insurer during the preceding calendar year in the case of foreign and alien insurers, and in the amount of one and sixteen one-hundredths percent of all such premiums in the case of domestic insurers, for direct insurances, other than ocean marine and foreign trade insurances, after deducting premiums paid to policyholders as returned premiums, upon risks or property resident, situated, or to be performed in this state. For the purposes of this section the consideration received by an insurer for the granting of an annuity shall not be deemed to be a premium.

(2) In the case of insurers which require the payment by their policyholders at the inception of their policies of the entire premium thereon in the form of premiums or premium deposits which are the same in amount, based on the character of the risks, regardless of the length

of term for which such policies are written, such tax shall be in the amount of two and sixteen one-hundredths percent of the gross amount of such premiums and premium deposits upon policies on risks resident, located, or to be performed in this state, in force as of the thirty-first day of December next preceding, less the unused or unabsorbed portion of such premiums and premium deposits computed at the average rate thereof actually paid or credited to policyholders or applied in part payment of any renewal premiums or premium deposits on one-year policies expiring during such year.

(3) ~~(From and after the first day of April, 1982, until and including the thirtieth day of June, 1983:)~~ An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the taxes payable under subsections (1) ~~(and)~~; (2), and (4) of this section. All revenues from this additional tax shall be deposited in the state general fund.

(4) Each authorized insurer shall with respect to all ocean marine and foreign trade insurance contracts written within this state during the preceding calendar year, on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax of ninety-one one-hundredths of one percent on its gross underwriting profit. Such gross underwriting profit shall be ascertained by deducting from the net premiums (i.e., gross premiums less all return premiums and premiums for reinsurance) on such ocean marine and foreign trade insurance contracts the net losses paid (i.e., gross losses paid less salvage and recoveries on reinsurance ceded) during such calendar year under such contracts. In the case of insurers issuing participating contracts, such gross underwriting profit shall not include, for computation of the tax prescribed by this subsection, the amounts refunded, or paid as participation dividends, by such insurers to the holders of such contracts.

(5) The state does hereby preempt the field of imposing excise or privilege taxes upon insurers or their agents, other than title insurers, and no county, city, town or other municipal subdivision shall have the right to impose any such taxes upon such insurers or their agents.

(6) If an authorized insurer collects or receives any such premiums on account of policies in force in this state which were originally issued by another insurer and which other insurer is not authorized to transact insurance in this state on its own account, such collecting insurer shall be liable for and shall pay the tax on such premiums.

(7) This section shall be effective as to and shall govern the payment of all taxes due for calendar year 1982 and thereafter.

Sec. 8. Section 2, chapter 278, Laws of 1957 as last amended by section 18, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.020 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district a tax for the act or privilege of engaging within this state in the business of operating works, plants or facilities for the generation, distribution and sale of electric energy. With respect to each such district, except with respect to thermal electric generating facilities taxed under RCW 54.28.025, such tax shall be the sum of the following amounts: (a) Two percent of the gross revenues derived by the district from the sale of all electric energy which it distributes to consumers who are served by a distribution system owned by the district; (b) five percent of the first four mills per kilowatt-hour of wholesale value of self-generated energy distributed to consumers by a district; (c) five percent of the first four mills per kilowatt-hour of revenue obtained by the district from the sale of self-generated energy for resale.

(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 ~~((for April, 1982, through June, 1983))~~.

Sec. 9. Section 6, chapter 366, Laws of 1977 ex. sess. as amended by section 19, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.025 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district operating a thermal electric generating facility, as defined in RCW 54.28.010 as now or hereafter amended, having a design capacity of two hundred fifty thousand kilowatts or more, located on a federal reservation, which is placed in operation after September 21, 1977, a tax for the act or privilege of engaging within the state in the business of generating electricity for use or sale, equal to one and one-half percent of wholesale value of energy produced for use or sale, except energy used in the operation of component parts of the power plant and associated transmission facilities under control of the person operating the power plant.

(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 ~~((for April, 1982, through June, 1983))~~.

Sec. 10. Section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 23, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.210 are each amended to read as follows:

(1) There is hereby imposed upon all wines sold to wine wholesalers and the Washington state liquor control board, within the state a tax at the rate of twenty and one-fourth cents per liter: PROVIDED, HOWEVER, That wine sold or shipped in bulk from one winery to another winery shall not be subject to such tax. The tax provided for in this section may, if so prescribed by the board, be collected by means of stamps to be furnished by the board, or by direct payments based on wine purchased by wine wholesalers. Every person purchasing wine under the provisions of this section shall on or before the twentieth day of each month report to the board all purchases during the preceding calendar month in such manner and upon such

forms as may be prescribed by the board, and with such report shall pay the tax due from the purchases covered by such report unless the same has previously been paid. Any such purchaser of wine whose applicable tax payment is not postmarked by the twentieth day following the month of purchase will be assessed a penalty at the rate of two percent a month or fraction thereof. If this tax be collected by means of stamps, every such person shall procure from the board revenue stamps representing the tax in such form as the board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser. If the tax is not collected by means of stamps, the board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may forthwith suspend or cancel the license until all taxes are paid.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

Sec. 11. Section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 24, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.290 are each amended to read as follows:

(1) Any brewer or beer wholesaler licensed under this title may sell and deliver beer to holders of authorized licenses direct, but to no other person, other than the board; and every such brewer or beer wholesaler shall report all sales to the board monthly, pursuant to the regulations, and shall pay to the board as an added tax for the privilege of manufacturing and selling the beer within the state a tax of two dollars and sixty cents per barrel of thirty-one gallons on sales to licensees within the state and on sales to licensees within the state of bottled and canned beer shall pay a tax computed in gallons at the rate of two dollars and sixty cents per barrel of thirty-one gallons. Any brewer or beer wholesaler whose applicable tax payment is not postmarked by the twentieth day following the month of sale will be assessed a penalty at the rate of two percent per month or fraction thereof. Each such brewer or wholesaler shall procure from the board revenue stamps representing such tax in form prescribed by the board and shall affix the same to the barrel or package in such manner and in such denominations as required by the board, and shall cancel the same prior to commencing delivery from his place of business or warehouse of such barrels or packages. Beer shall be sold by brewers and wholesalers in sealed barrels or packages. The revenue stamps herein provided for need not be affixed and canceled in the making of resales of barrels or packages already taxed by the affixation and cancellation of stamps as provided in this section.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

(3) The tax imposed under this section shall not apply to "strong beer" as defined in this title.

Sec. 12. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 3, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected a tax upon each retail sale of spirits, or strong beer in the original package at the rate of fifteen percent of the selling price. The tax imposed in this subsection shall apply to all such sales including sales by the Washington state liquor stores and agencies, but excluding sales to class H licensees.

(2) There is levied and shall be collected a tax upon each sale of spirits, or strong beer in the original package at the rate of ten percent of the selling price on sales by Washington state liquor stores and agencies to class H licensees.

(3) There is levied and shall be collected an additional tax upon each retail sale of spirits in the original package at the rate of one dollar and seventy-two cents per liter. The additional tax imposed in this subsection shall apply to all such sales including sales by Washington state liquor stores and agencies, and including sales to class H licensees.

(4) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the taxes payable under subsections (1), (2), and (3) of this section.

(5) The tax imposed in RCW 82.08.020, as now or hereafter amended, shall not apply to sales of spirits or strong beer in the original package.

(6) The taxes imposed in this section 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 under this section. The taxes required by this section to be collected by the seller shall be stated separately from the selling price and for purposes of determining the tax due from the buyer to the seller, it shall be conclusively presumed that the selling price quoted in any price list does not include the taxes imposed by this section.

(7) As used in this section, the terms, "spirits," "strong beer," and "package" shall have the meaning ascribed to them in chapter 66.04 RCW.

Sec. 13. Section 82.16.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 5, Laws of 1982 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, light and power, ((telephone)) 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.

(2) ~~((From and after the first day of April, 1982, until and including the thirtieth day of June, 1983:))~~ 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.

Sec. 14. Section 82.20.010, chapter 15, Laws of 1961 as amended by section 7, chapter 35, Laws of 1982 1st 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; and for each additional five hundred dollars or fractional part thereof, fifty cents.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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) This section shall not apply to any instrument or writing, given to secure a debt, nor to any conveyance to the state.

Sec. 15. Section 82.24.020, chapter 15, Laws of 1961 as last amended by section 8, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.24.020 are each amended to read as follows:

(1) There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling, possession or distribution of all cigarettes, in an amount equal to the rate of eight and one-half mills per cigarette. For purposes of this chapter and RCW 28A.47.440, "possession" shall mean both (a) physical possession by the purchaser and, (b) when cigarettes are being transported to or held for the purchaser or his designee by a person other than the purchaser, constructive possession by the purchaser or his designee, which constructive possession shall be deemed to occur at the location of the cigarettes being so transported or held.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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, RCW 82.24.025, and 28A.47.440.

Sec. 16. Section 82.26.020, chapter 15, Laws of 1961 as last amended by section 9, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.26.020 are each amended to read as follows:

(1) From and after June 1, 1971, there is levied and there shall be collected a tax upon the sale, use, consumption, handling, or distribution of all tobacco products in this state at the rate of forty-five percent of the wholesale sales price of such tobacco products. Such tax shall be imposed at the time the distributor (a) brings, or causes to be brought, into this state from without the state tobacco products for sale, (b) makes, manufactures, or fabricates tobacco products in this state for sale in this state, or (c) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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.

Sec. 17. Section 2, chapter 98, Laws of 1980 as last amended by section 6, chapter 284, Laws of 1983 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 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 food fish, shellfish, or anadromous game fish whose possession constitutes the taxable event.

The taxable event is the first possession by an owner after the food fish, shellfish, or anadromous game fish have been landed. Processing and handling of 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 food fish, shellfish, and anadromous game fish and liable to this tax may deduct from the price paid to the person from which the 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 of the food fish, shellfish, or anadromous game fish. 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 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) ~~((From and after the first day of July, 1982, until and including the thirtieth day of June, 1983:))~~ 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. 18, Section 3, chapter 61, Laws of 1975-76 2nd ex. sess. as amended by section 11, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.29A.030 are each amended to read as follows:

(1) There is hereby levied and shall be collected a leasehold excise tax on the act or privilege of occupying or using publicly owned real or personal property through a leasehold interest on and after January 1, 1976, at a rate of twelve percent of taxable rent: PROVIDED, That after the computation of the tax there shall be allowed credit for any tax collected pursuant to RCW 82.29A.040.

(2) ~~((From and after the first day of April, 1982, until and including the thirtieth day of June, 1983:))~~ 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.

Sec. 19, Section 82.44.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.44.020 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under reciprocal agreements, the provisions of RCW 46.16.160 as now or hereafter amended, or dealer's licenses. The annual amount of such excise tax shall be two percent of the fair market value of such vehicle.

(2) From and after August 1, 1978, and until August 1, 2008, an additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the state any such motor vehicle, and the annual amount of such additional excise shall be two-tenths of one percent of the fair market value of such vehicle.

(3) The department of licensing and county auditors shall collect the additional tax imposed by subsection (2) of this section for any registration year for the months of that registration year in which such additional tax is effective, and in the same manner and at the same time as the tax imposed by subsection (1) of this section.

(4) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

(5) ~~((From and after the first day of July, 1982, until and including the thirtieth day of September, 1983:))~~ An additional tax is imposed equal to the taxes payable under subsections (1) and (2) of this section multiplied by the rate ~~((of tax applicable to the periods shown as follows:~~

July 1 - September 30, 1982 \_\_\_\_\_ 4%

October 1 - June 30, 1983 \_\_\_\_\_ 7%

July 1 - September 30, 1983 \_\_\_\_\_ 3%) specified in RCW 82.02.030.

Sec. 20, Section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 14, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.45.060 are each amended to read as follows:

(1) There is imposed an excise tax upon each sale of real property at the rate of one percent of the selling price.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ 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.

Sec. 21, Section 82.48.010, chapter 15, Laws of 1961 as last amended by section 239, chapter 158, Laws of 1979 and RCW 82.48.010 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

- (1) "Aircraft" means any weight-carrying device or structure for navigation of the air(;) which is designed to be supported by the air(~~but which is heavier than air~~);
- (2) "Director" means the director of licensing; (~~and~~);
- (3) "Person" includes a firm, partnership or corporation;
- (4) "Small multi-engine fixed wing" means any piston-driven multi-engine fixed wing aircraft with a maximum gross weight as listed by the manufacturer of less than seventy-five hundred pounds; and
- (5) "Large multi-engine fixed wing" means any piston-driven multi-engine fixed wing aircraft with a maximum gross weight as listed by the manufacturer of seventy-five hundred pounds or more.

Sec. 22. Section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030 are each amended to read as follows:

(1) The amount of the tax imposed by this chapter for each calendar year shall be (~~fifteen dollars for each single engine aircraft, and twenty-five dollars for each multi-engine aircraft, irrespective of make, type, year of manufacture or any other type of classification; PROVIDED: That the calendar year~~) as follows:

<u>Type of aircraft</u>	<u>Registration fee</u>
<u>Single engine fixed wing</u>	<u>\$ 50</u>
<u>Small multi-engine fixed wing</u>	<u>65</u>
<u>Large multi-engine fixed wing</u>	<u>80</u>
<u>Turboprop multi-engine fixed wing</u>	<u>100</u>
<u>Turbojet multi-engine fixed wing</u>	<u>125</u>
<u>Helicopter</u>	<u>75</u>
<u>Sailplane</u>	<u>20</u>
<u>Lighter than air</u>	<u>20</u>
<u>Home built</u>	<u>20</u>

(2) The amount of tax imposed under subsection (1) of this section for each calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax upon an aircraft registered for the first time in this state after the last day of any month shall only be levied for the remaining months of the calendar year including the month in which the aircraft is being registered: PROVIDED (~~FURTHER~~). That the minimum amount payable shall be three dollars.

An aircraft shall be deemed registered for the first time in this state when such aircraft was not previously registered by this state for the year immediately preceding the year in which application for registration is made.

Sec. 23. Section 82.32.090, chapter 15, Laws of 1961 as last amended by section 32, chapter 7, Laws of 1983 and RCW 82.32.090 are each amended to read as follows:

If payment of any tax due is not received by the department of revenue by the due date, there shall be assessed a penalty of five percent of the amount of the tax; and if the tax is not received within thirty days after the due date, there shall be assessed a total penalty of ten percent of the amount of the tax; and if the tax is not received within sixty days after the due date, there shall be assessed a total penalty of twenty percent of the amount of the tax. No penalty so added shall be less than two dollars.

If payment of any tax is received within the first ten days of the month next succeeding the month in which the tax is payable, the amount of such payment shall be credited to, and shall be treated for all purposes as having been collected during, the fiscal year which includes the month preceding the month in which such due date falls. Effective June 30, 1985, and thereafter if the payment of any tax is received during the first ten days in (~~the month in which the tax is payable~~) July, the amount of such payment shall be credited to, and shall be treated for all purposes as having been collected during, the preceding fiscal year (~~which includes the month preceding the month in which such due date falls~~).

If a warrant be issued by the department of revenue for the collection of taxes, increases, and penalties, there shall be added thereto a penalty of five percent of the amount of the tax, but not less than five dollars.

Notwithstanding the foregoing, the aggregate of penalties imposed under this chapter for failure to file a return, late payment of any tax, increase, or penalty, or issuance of a warrant shall not exceed twenty-five percent of the tax due, or seven dollars, whichever is greater.

Sec. 24. Section 6, chapter 40, Laws of 1973 2nd ex. sess. as amended by section 3, chapter 141, Laws of 1981 and RCW 84.36.800 are each amended to read as follows:

As used in RCW 84.36.020, 84.36.030, 84.36.040, 84.36.050, 84.36.060, 84.36.037, and 84.36.800 through 84.36.865:

- (1) "Church purposes" means the use of real and personal property owned by a nonprofit religious organization for religious worship or related administrative, educational, eleemosynary, and social activities. This definition is to be broadly construed;
- (2) "Convent" means a house or set of buildings occupied by a community of clergymen or nuns devoted to religious life under a superior;



(3) "Hospital" means any portion of a hospital building, or other buildings in connection therewith, used as a residence for persons engaged or employed in the operation of a hospital, or operated as a portion of the hospital unit;

(4) "Nonprofit" means an organization, association or corporation no part of the income of which is paid directly or indirectly to its members, stockholders, officers, directors or trustees except in the form of services rendered by the organization, association, or corporation in accordance with its purposes and bylaws and the salary or compensation paid to officers of such organization, association or corporation is for actual services rendered and compares to the salary or compensation of like positions within the public services of the state;

(5) "Parsonage" means a residence occupied by a clergyman who is designated for a particular congregation and who holds regular services therefor;

(6) "School or college" means any nonprofit organization, association, or corporation established and operated for general educational purposes, or to provide cultural or art education programs as defined in RCW 82.04.4328.

NEW SECTION. Sec. 25. There is added to chapter 82.04 RCW a new section to read as follows:

(1) "Competitive telephone service" means the providing by any person of telecommunications equipment or apparatus, or service related to that equipment or apparatus such as repair or maintenance service, if the equipment or apparatus is of a type which can be provided by persons that are not subject to regulation as telephone companies under Title 80 RCW and for which a separate charge is made.

(2) "Network telephone service" means the providing by any person of access to a local telephone network, local telephone network switching service, toll service, or coin telephone services, or the providing of telephonic, video, data, or similar communication or transmission for hire, via a local telephone network, toll line or channel, cable, microwave, or similar communication or transmission system. "Network telephone service" includes interstate service, including toll service, originating from or received on telecommunications equipment or apparatus in this state if the charge for the service is billed to a person in this state. "Network telephone service" does not include the providing of competitive telephone service, the providing of cable television service, nor the providing of broadcast services by radio or television stations.

(3) "Telephone service" means competitive telephone service or network telephone service, or both, as defined in subsections (1) and (2) of this section.

(4) "Telephone business" means the business of providing network telephone service, as defined in subsection (2) of this section. It includes cooperative or farmer line telephone companies or associations operating an exchange.

Sec. 26. Section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 144, Laws of 1981 and RCW 82.04.050 are each amended to read as follows:

(1) "Sale at retail" or "retail sale" means every sale of tangible personal property (including articles produced, fabricated, or imprinted) to all persons irrespective of the nature of their business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property or for consumers other than a sale to a person who (a) purchases for the purpose of resale as tangible personal property in the regular course of business without intervening use by such person, or (b) installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property without intervening use by such person, or (c) purchases for the purpose of consuming the property purchased in producing for sale a new article of tangible personal property or substance, of which such property becomes an ingredient or component or is a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale, or (d) purchases for the purpose of providing the property to consumers as part of competitive telephone service, as defined in (~~RCW 82.16.010~~) section 25 of this 1983 act. The term shall include every sale of tangible personal property which is used or consumed or to be used or consumed in the performance of any activity classified as a "sale at retail" or "retail sale" even though such property is resold or utilized as provided in (a), (b), (c), or (d) above following such use. The term also means every sale of tangible personal property to persons engaged in any business which is taxable under RCW 82.04.280, subsections (2) and (7) and RCW 82.04.290.

(2) The term "sale at retail" or "retail sale" shall include the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following: (a) The installing, repairing, cleaning, altering, imprinting, or improving of tangible personal property or for consumers, including charges made for the mere use of facilities in respect thereto, but excluding charges made for the use of coin operated laundry facilities when such facilities are situated in an apartment house, hotel, motel, rooming house, trailer camp or tourist camp for the exclusive use of the tenants thereof, and also excluding sales of

laundry service to members by nonprofit associations composed exclusively of nonprofit hospitals, and excluding services rendered in respect to live animals, birds and insects; (b) the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and shall also include the sale of services or charges made for the clearing of land and the moving of earth excepting the mere leveling of land used in commercial farming or agriculture; (c) the sale of or charge made for labor and services rendered in respect to the cleaning, fumigating, razing or moving of existing buildings or structures, but shall not include the charge made for janitorial services; and for purposes of this section the term "janitorial services" shall mean those cleaning and caretaking services ordinarily performed by commercial janitor service businesses including, but not limited to, wall and window washing, floor cleaning and waxing, and the cleaning in place of rugs, drapes and upholstery. The term "janitorial services" does not include painting, papering, repairing, furnace or septic tank cleaning, snow removal or sandblasting; (d) the sale of or charge made for labor and services rendered in respect to automobile towing and similar automotive transportation services, but not in respect to those required to report and pay taxes under chapter 82.16 RCW; (e) the sale of and charge made for the furnishing of lodging and all other services by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same; (f) the sale of or charge made for tangible personal property, labor and services to persons taxable under (a), (b), (c), (d), and (e) above when such sales or charges are for property, labor and services which are used or consumed in whole or in part by such persons in the performance of any activity defined as a "sale at retail" or "retail sale" even though such property, labor and services may be resold after such use or consumption. Nothing contained in this paragraph shall be construed to modify the first paragraph of this section and nothing contained in the first paragraph of this section shall be construed to modify this paragraph.

(3) The term "sale at retail" or "retail sale" shall include the sale of or charge made for personal business or professional services including amounts designated as interest, rents, fees, admission, and other service emoluments however designated, received by persons engaging in the following business activities((:)); (a) Amusement and recreation businesses including but not limited to golf, pool, billiards, skating, bowling, ski lifts and tows and others; (b) abstract, title insurance and escrow businesses; (c) credit bureau businesses; (d) automobile parking and storage garage businesses.

(4) The term shall also include the renting or leasing of tangible personal property to consumers.

(5) The term shall also include the providing of (~~competitive~~) telephone service, as defined in (~~RCW 82.16.010~~) section 25 of this 1983 act, to consumers.

(6) The term shall not include the sale of or charge made for labor and services rendered in respect to the building, repairing, or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind, nor shall it include sales of feed, seed, fertilizer, and spray materials to persons for the purpose of producing for sale any agricultural product whatsoever, including milk, eggs, wool, fur, meat, honey, or other substances obtained from animals, birds, or insects but only when such production and subsequent sale are exempt from tax under RCW 82.04.330, nor shall it include sales of chemical sprays or washes to persons for the purpose of post-harvest treatment of fruit for the prevention of scald, fungus, mold, or decay.

(7) The term shall not include the sale of or charge made for labor and services rendered in respect to the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing, or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation. Nor shall the term include the sale of services or charges made for the clearing of land and the moving of earth of or for the United States, any instrumentality thereof, or a county or city housing authority.

Sec. 27. Section 82.04.060, chapter 15, Laws of 1961 and RCW 82.04.060 are each amended to read as follows:

"Sale at wholesale" or "wholesale sale" means any sale of tangible personal property, or any sale of telephone service as defined in section 25 of this 1983 act, which is not a sale at retail and means any charge made for labor and services rendered for persons who are not consumers, in respect to real or personal property, if such charge is expressly defined as a

retail sale by RCW 82.04.050 when rendered to or for consumers: PROVIDED, That the term "real or personal property" as used in this section shall not include any natural products named in RCW 82.04.100.

Sec. 28. Section 82.04.190, chapter 15, Laws of 1961 as last amended by section 2, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.190 are each amended to read as follows:

"Consumer" means the following:

(1) Any person who purchases, acquires, owns, holds, or uses any article of tangible personal property irrespective of the nature of ~~(his)~~ the person's business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than for the purpose (a) of resale as tangible personal property in the regular course of business or (b) of incorporating such property as an ingredient or component of real or personal property when installing, repairing, cleaning, altering, imprinting, improving, constructing, or decorating such real or personal property of or for consumers or (c) of consuming such property in producing for sale a new article of tangible personal property or a new substance, of which such property becomes an ingredient or component or as a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale;

(2) Any person engaged in any business activity taxable under RCW 82.04.290 and any person who purchases, acquires, or uses any telephone service as defined in section 25 of this 1983 act, other than for resale in the regular course of business;

(3) Any person engaged in the business of contracting for the building, repairing or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state of Washington or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind as defined in RCW 82.04.280, in respect to tangible personal property when such person incorporates such property as an ingredient or component of such publicly owned street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle by installing, placing or spreading the property in or upon the right of way of such street, place, road, highway, easement, bridge, tunnel, or trestle or in or upon the site of such mass public transportation terminal or parking facility;

(4) Any person who is an owner, lessee or has the right of possession to or an easement in real property which is being constructed, repaired, decorated, improved, or otherwise altered by a person engaged in business, excluding only (a) municipal corporations or political subdivisions of the state in respect to labor and services rendered to their real property which is used or held for public road purposes, and (b) the United States, instrumentalities thereof, and county and city housing authorities created pursuant to chapter 35.82 RCW in respect to labor and services rendered to their real property. Nothing contained in this or any other subsection of this definition shall be construed to modify any other definition of "consumer";

(5) Any person who is an owner, lessee, or has the right of possession to personal property which is being constructed, repaired, improved, cleaned, imprinted, or otherwise altered by a person engaged in business;

(6) Any person engaged in the business of constructing, repairing, decorating, or improving new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation. Any such person shall be a consumer within the meaning of this subsection in respect to tangible personal property incorporated into, installed in, or attached to such building or other structure by such person.

Sec. 29. Section 82.04.460, chapter 15, Laws of 1961 as amended by section 9, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.460 are each amended to read as follows:

(1) Any person rendering services taxable under RCW 82.04.290 and maintaining places of business both within and without this state which contribute to the rendition of such services shall, for the purpose of computing tax liability under RCW 82.04.290, apportion to this state that portion of his gross income which is derived from services rendered within this state. Where such apportionment cannot be accurately made by separate accounting methods, the taxpayer shall apportion to this state that proportion of his total income which the cost of doing business within the state bears to the total cost of doing business both within and without the state.

(2) Notwithstanding the provision of subsection (1) of this section, persons doing business both within and without the state who receive gross income from service charges, as defined in RCW 63.14.010(8) (relating to amounts charged for granting the right or privilege to make deferred or installment payments) or who receive gross income from engaging in business as financial institutions within the scope of chapter 82.14A RCW (relating to city taxes on financial institutions) shall apportion or allocate gross income taxable under RCW 82.04.290 to this state

pursuant to rules promulgated by the department consistent with uniform rules for apportionment or allocation developed by the states.

(3) The department shall by rule provide a method or methods of apportioning or allocating gross income derived from sales of telephone services taxed under this chapter, if the gross proceeds of sales subject to tax under this chapter do not fairly represent the extent of the taxpayer's income attributable to this state. The rules shall be, so far as feasible, consistent with the methods of apportionment contained in this section and shall require the consideration of those facts, circumstances, and apportionment factors as will result in an equitable and constitutionally permissible division of the services.

Sec. 30. Section 82.04.470, chapter 15, Laws of 1961 as amended by section 43, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.470 are each amended to read as follows:

Unless a seller has taken from the purchaser a resale certificate signed by, and bearing the name and address and registration number of the purchaser to the effect that the property or service was purchased for resale, or unless the nature of the transaction is clearly shown as a sale at wholesale by the books and records of the taxpayer in such other manner as the department of revenue shall by regulation provide, the burden of proving that a sale of tangible personal property, or of telephone service as defined in section 25 of this 1983 act, was not a sale at retail shall be upon the person who made it.

NEW SECTION. Sec. 31. There is added to chapter 82.08 RCW a new section to read as follows:

(1) The tax levied by RCW 82.08.020 shall not apply to sales of:

(a) Network telephone service, other than toll service, to residential customers.

(b) Network telephone service which is paid for by inserting coins in coin-operated telephones.

(2) As used in this section:

(a) "Network telephone service" has the meaning given in section 25 of this act.

(b) "Residential customer" means an individual subscribing to a residential class of telephone service.

(c) "Toll service" does not include customer access line charges for access to a toll calling network.

Sec. 32. Section 3, chapter 94, Laws of 1970 ex. sess. as last amended by section 1, chapter 211, Laws of 1982 and RCW 82.14.020 are each amended to read as follows:

For purposes of this chapter:

(1) A retail sale consisting solely of the sale of tangible personal property shall be deemed to have occurred at the retail outlet at or from which delivery is made to the consumer:

(2) A retail sale consisting essentially of the performance of personal business or professional services shall be deemed to have occurred at the place at which such services were primarily performed;

(3) A retail sale consisting of the rental of tangible personal property shall be deemed to have occurred (a) in the case of a rental involving periodic rental payments, at the primary place of use by the lessee during the period covered by each payment, or (b) in all other cases, at the place of first use by the lessee;

(4) A retail sale within the scope of the second paragraph of RCW 82.04.050, and a retail sale of taxable personal property to be installed by the seller shall be deemed to have occurred at the place where the labor and services involved were primarily performed;

(5) A retail sale consisting of the providing to a consumer of ((competitive)) telephone service, as defined in ((RCW 82.16.010)) section 25 of this 1983 act, other than a sale of tangible personal property under subsection (1) of this section or a rental of tangible personal property under subsection (3) of this section, shall be deemed to have occurred at the situs of the ((primary)) telephone or other instrument through which the ((competitive)) telephone service is rendered;

(6) "City" means a city or town;

(7) The meaning ascribed to words and phrases in chapters 82.04, 82.08 and 82.12 RCW, as now or hereafter amended, insofar as applicable, shall have full force and effect with respect to taxes imposed under authority of this chapter;

(8) "Taxable event" shall mean any retail sale, or any use of an article of tangible personal property, upon which a state tax is imposed pursuant to chapter 82.08 or 82.12 RCW, as they now exist or may hereafter be amended: PROVIDED, HOWEVER, That the term shall not include a retail sale taxable pursuant to RCW 82.08.150, as now or hereafter amended;

(9) "Treasurer or other legal depository" shall mean the treasurer or legal depository of a county or city.

Sec. 33. Section 82.16.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1982 2nd ex. sess and RCW 82.16.010 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

(1) "Railroad business" means the business of operating any railroad, by whatever power operated, for public use in the conveyance of persons or property for hire. It shall not, however, include any business herein defined as an urban transportation business.

(2) "Express business" means the business of carrying property for public hire on the line of any common carrier operated in this state, when such common carrier is not owned or leased by the person engaging in such business.

(3) "Railroad car business" means the business of renting, leasing or operating stock cars, furniture cars, refrigerator cars, fruit cars, poultry cars, tank cars, sleeping cars, parlor cars, buffet cars, tourist cars, or any other kinds of cars used for transportation of property or persons upon the line of any railroad operated in this state when such railroad is not owned or leased by the person engaging in such business.

(4) "Water distribution business" means the business of operating a plant or system for the distribution of water for hire or sale.

(5) "Light and power business" means the business of operating a plant or system for the generation, production or distribution of electrical energy for hire or sale.

~~(6) ("Telephone business" means the business of providing access to a local telephone network, local telephone network switching service, toll service, or coin telephone services, or providing telephonic, video, data, or similar communication or transmission for hire, via a local telephone network, toll line or channel, or similar communication or transmission system; it includes cooperative or farmer line telephone companies or associations operating an exchange. "Telephone business" does not include the providing of competitive telephone service, nor the providing of cable television service.~~

(7) "Telegraph business" means the business of affording telegraphic communication for hire.

~~((+8))~~ (7) "Gas distribution business" means the business of operating a plant or system for the production or distribution for hire or sale of gas, whether manufactured or natural.

~~((+9))~~ (8) "Motor transportation business" means the business (except urban transportation business) of operating any motor propelled vehicle by which persons or property of others are conveyed for hire, and includes, but is not limited to, the operation of any motor propelled vehicle as an auto transportation company (except urban transportation business), common carrier or contract carrier as defined by RCW 81.68.010 and 81.80.010: PROVIDED, That "motor transportation business" shall not mean or include the transportation of logs or other forest products exclusively upon private roads or private highways.

~~((+10))~~ (9) "Urban transportation business" means the business of operating any vehicle for public use in the conveyance of persons or property for hire, insofar as (a) operating entirely within the corporate limits of any city or town, or within five miles of the corporate limits thereof, or (b) operating entirely within and between cities and towns whose corporate limits are not more than five miles apart or within five miles of the corporate limits of either thereof. Included herein, but without limiting the scope hereof, is the business of operating passenger vehicles of every type and also the business of operating cartage, pickup, or delivery services, including in such services the collection and distribution of property arriving from or destined to a point within or without the state, whether or not such collection or distribution be made by the person performing a local or interstate line-haul of such property.

~~((+11))~~ (10) "Public service business" means any of the businesses defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), and (9) (~~and~~ ~~(+10)~~) or any business subject to control by the state, or having the powers of eminent domain and the duties incident thereto, or any business hereafter declared by the legislature to be of a public service nature, except telephone business as defined in section 25 of this 1983 act. It includes, among others, without limiting the scope hereof: Airplane transportation, boom, dock, ferry, log patrol, pipe line, warehouse, toll bridge, toll logging road, water transportation and wharf businesses.

~~((+12))~~ (11) "Tugboat business" means the business of operating tugboats, towboats, wharf boats or similar vessels in the towing or pushing of vessels, barges or rafts for hire.

~~((+13))~~ (12) "Gross income" means the value proceeding or accruing from the performance of the particular public service or transportation business involved, including operations incidental thereto, but without any deduction on account of the cost of the commodity furnished or sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses: PROVIDED, That gross income of a light and power business means those amounts or value accruing to a taxpayer from the last distribution of electrical energy which is a taxable event within this state.

~~((+14))~~ (13) The meaning attributed, in chapter 82.04 RCW, to the term "tax year," "person," "value proceeding or accruing," "business," "engaging in business," "in this state," "within this state," "cash discount" and "successor" shall apply equally in the provisions of this chapter.

~~((+15))~~ "Competitive telephone service" means the providing by any person of telephone equipment, apparatus, or service, other than toll service, which is of a type which can be provided by persons that are not subject to regulation as telephone companies under Title 80 RCW and for which a separate charge is made.)

Sec. 34. Section 6, chapter 134, Laws of 1972 ex. sess. as last amended by section 7, chapter 99, Laws of 1983 and RCW 35.21.710 are each amended to read as follows:

Any city which imposes a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross

income from such sales, shall impose such tax at a single uniform rate upon all such business activities. The taxing authority granted to cities for taxes upon business activities measured by gross receipts or gross income from sales shall not exceed a rate of .0020; except that any city with an adopted ordinance at a higher rate, as of January 1, 1982 shall be limited to a maximum increase of ten percent of the January 1982 rate, not to exceed an annual incremental increase of two percent of current rate: PROVIDED, That any adopted ordinance which classifies according to different types of business or services shall be subject to both the ten percent and the two percent annual incremental increase limitation on each tax rate: PROVIDED FURTHER, That all surtaxes on business and occupation classifications in effect as of January 1, 1982, shall expire no later than December 31, 1982, or by expiration date established by local ordinance. Cities which impose a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales shall be required to submit an annual report to the state auditor identifying the rate established and the revenues received from each fee or tax. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW. For purposes of this section, the providing to consumers of competitive telephone service, as defined in ~~((RCW 82-16-010))~~ section 25 of this 1983 act, shall be deemed to be the retail sale of tangible personal property.

Sec. 35. Section 7, chapter 134, Laws of 1972 ex. sess. as amended by section 7, chapter 144, Laws of 1981 and RCW 35A.82.050 are each amended to read as follows:

Any code city which imposes a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales, shall impose such tax at a single uniform rate upon all such business activities. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW. For purposes of this section, the providing to consumers of competitive telephone service, as defined in ~~((RCW 82-16-010))~~ section 25 of this 1983 act, shall be deemed to be the retail sale of tangible personal property.

Sec. 36. Section 8, chapter 144, Laws of 1981 and RCW 35.21.712 are each amended to read as follows:

Any city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82-16-010))~~ section 25 of this 1983 act, which is measured by gross receipts or gross income from the business shall impose the tax at a uniform rate on all persons engaged in the telephone business in the city.

This section does not apply to the providing of competitive telephone service as defined in ~~((RCW 82-16-010))~~ section 25 of this 1983 act.

Sec. 37. Section 9, chapter 144, Laws of 1981 and RCW 35A.82.055 are each amended to read as follows:

Any code city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82-16-010))~~ section 25 of this 1983 act, which is measured by gross receipts or gross income from the business shall impose the tax at a uniform rate on all persons engaged in the telephone business in the code city.

This section does not apply to the providing of competitive telephone service as defined in ~~((RCW 82-16-010))~~ section 25 of this 1983 act.

Sec. 38. Section 10, chapter 144, Laws of 1981 and RCW 35.21.714 are each amended to read as follows:

Any city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82-16-010))~~ section 25 of this 1983 act, which is measured by gross receipts or gross income may impose the fee or tax, if it desires, on one hundred percent of the total gross revenue derived from intrastate toll telephone services subject to the fee or tax: PROVIDED, That the city shall not impose the fee or tax on that portion of network telephone service, as defined in section 25 of this 1983 act, which represents access to, or charges for, interstate services for which rates are contained in tariffs filed with the federal communications commission.

Sec. 39. Section 11, chapter 144, Laws of 1981 and RCW 35A.82.060 are each amended to read as follows:

Any code city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82-16-010))~~ section 25 of this 1983 act, which is measured by gross receipts or gross income may impose the fee or tax, if it desires, on one hundred percent of the total gross revenue derived from intrastate toll telephone services subject to the fee or tax: PROVIDED, That the city shall not impose the fee or tax on that portion of network telephone service, as defined in section 25 of this 1983 act, which represents access to, or charges for, interstate services for which rates are contained in tariffs filed with the federal communications commission.

Sec. 40. Section 2, chapter 49, Laws of 1982 1st ex. sess. and RCW 35.21.860 are each amended to read as follows:

(1) No city or town may impose a franchise fee or any other fee or charge of whatever nature or description upon the light and power, ~~((telephone))~~ or gas distribution businesses, as defined in RCW 82.16.010, or telephone business, as defined in section 25 of this 1983 act, except

that (a) a tax authorized by RCW 35.21.865 may be imposed and (b) a fee may be charged to such businesses that recovers actual administrative expenses incurred by a city or town that are directly related to receiving and approving a permit, license, and franchise, to inspecting plans and construction, or to the preparation of a detailed statement pursuant to chapter 43.21C RCW.

(2) Subsection (1) of this section does not prohibit franchise fees imposed on an electrical energy, natural gas, or telephone business, by contract existing on April 20, 1982, with a city or town, for the duration of the contract, but the franchise fees shall be considered taxes for the purposes of the limitations established in RCW 35.21.865 and 35.21.870 to the extent the fees exceed the costs allowable under subsection (1) of this section.

Sec. 41. Section 80.04.270, chapter 14, Laws of 1961 as amended by section 5, chapter 144, Laws of 1981 and RCW 80.04.270 are each amended to read as follows:

Any public service company engaging in the sale of merchandise or appliances or equipment shall keep separate accounts, as prescribed by the commission, of its capital employed in such business and of its revenues therefrom and operating expenses thereof. The capital employed in such business shall not constitute a part of the fair value of said company's property for rate making purposes, nor shall the revenues from or operating expenses of such business constitute a part of the operating revenues and expenses of said company as a public service company. For purposes of this section, the providing of competitive telephone service, as defined in (~~RCW 82.16.010~~) section 25 of this 1983 act, shall not constitute the sale of merchandise, appliances, or equipment, unless the commission determines that it would be in the public interest to hold otherwise.

Sec. 42. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 7, Laws of 1983 and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and five-tenths percent of the selling price: PROVIDED, That for retail sales other than retail sales of telephone services, as defined in section 25 of this 1983 act, such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 43. Section 39, chapter 37, Laws of 1980 as amended by section 1, chapter 5, Laws of 1982 1st ex. sess. and RCW 82.08.0273 are each amended to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales to nonresidents of this state of tangible personal property for use outside this state when the purchaser has applied for and received from the department of revenue a permit certifying (1) that (~~he~~) the purchaser is a bona fide resident of a state or possession or Province of Canada other than the state of Washington, (2) that such state, possession, or Province of Canada does not impose a retail sales tax or use tax of three percent or more or, if imposing such a tax, permits Washington residents exemption from otherwise taxable sales by reason of their residence, and (3) that he or she does agree, when requested, to grant the department of revenue access to such records and other forms of verification at his or her place of residence to assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this section must display a nonresident permit as herein provided, and any vendor making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable, shall be renewable annually, and shall be issued by the department of revenue upon payment of a fee of (~~five~~) one dollar(s). The department may in its discretion designate independent agents for the issuance of permits, according to such standards and qualifications as the department may prescribe. Such agents shall pay over and account to the department for all permit fees collected, after deducting as a collection fee the sum of (~~one dollar~~) fifty cents for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of perjury. Any person making tax exempt purchases by displaying a permit not his or her own, or a counterfeit permit, with intent to violate the provisions of this section shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit, and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due.

Sec. 44. Section 9, chapter 7, Laws of 1983 and RCW 82.\_\_\_\_\_ are each amended to read as follows:

An excise tax is imposed for the privilege of using a vessel (~~for which registration is required under chapter 86, RCW (sections 14 through 22 of this act)~~) upon the waters of this state, except vessels ((covered by a dealer's registration number under this chapter)) exempt

under section 45 of this 1983 act. The annual amount of the excise tax is one-half of one percent of fair market value, as determined under this chapter, or five dollars, whichever is greater.

The excise tax upon a vessel registered for the first time in this state shall be imposed for a twelve-month period, including the month in which the vessel is registered, unless the director of licensing extends or diminishes vessel registration periods for the purpose of staggered renewal periods under RCW 88.--- (section 18 ~~((of this act)), chapter 7, Laws of 1983~~). A vessel is registered for the first time in this state when the vessel was not registered in this state for the immediately preceding registration year, or when the vessel was registered in another jurisdiction for the immediately preceding year. The excise tax on vessels required to be registered in this state on the effective date of this section shall be paid by June 30, 1983.

NEW SECTION. Sec. 45. There is added to chapter 82.--- RCW (sections 9 through 13, chapter 7, Laws of 1983) a new section to read as follows:

The following are exempt from the tax imposed under this chapter:

(1) Vessels exempt from the registration requirements of chapter 88.--- RCW (sections 14 through 22, chapter 7, Laws of 1983);

(2) Vessels used exclusively for commercial fishing purposes;

(3) Vessels owned and operated by the United States, a state of the United States, or any municipality or political subdivision thereof;

(4) Vessels owned by a nonprofit organization or association engaged in character building of boys and girls under eighteen years of age and solely used for such purposes, as determined by the department for the purposes of RCW 84.36.030; and

(5) Vessels owned and held for sale by a dealer, but not rented on a regular commercial basis.

Sec. 46. Section 16, chapter 7, Laws of 1983 and RCW 88.--- are each amended to read as follows:

Vessel registration is required under this chapter except for the following:

(1) ~~((Vessels owned and operated by the United States, another state, or a political subdivision thereof)) Military or public vessels of the United States, except recreational-type public vessels;~~

(2) Vessels owned ~~((and operated by this state, or by any municipality or political subdivision thereof))~~ by a state or subdivision thereof, used principally for governmental purposes and clearly identifiable as such;

(3) Vessels owned by a resident of a country other than the United States or Canada if the vessel is not physically located upon the waters of this state for a period of more than sixty days;

(4) Vessels owned by a resident of another state or a Canadian province if the vessel is registered in accordance with the laws of the state or province in which the owner resides, but only to the extent that a similar exemption or privilege is granted under the laws of that state or province for vessels registered in this state: PROVIDED, That any vessel which is validly registered in another state or a Canadian province and which is physically located in this state for a period of more than sixty days is subject to registration under this chapter;

(5) Vessels used as a ship's ~~((tender or))~~ lifeboat;

(6) Vessels equipped with propulsion machinery of less than ten horse power that:

(a) Are owned by the owner of a vessel for which a valid vessel number has been issued;

(b) Display the number of that numbered vessel followed by the suffix "1" in the manner prescribed by the department; and

(c) Are used as a tender for direct transportation between that vessel and the shore and for no other purpose;

(7) Vessels under sixteen feet in overall length ~~((or whose primary propulsion is human power))~~ which have no propulsion machinery of any type;

~~((7))~~ (8) Vessels with no propulsion machinery of any type for which the primary mode of propulsion is human power;

(9) Vessels which are temporarily in this state undergoing repair or alteration ~~((and vessels which are designed and used exclusively for racing));~~

~~((8))~~ Vessels used exclusively for commercial fishing purposes; and

~~((9))~~ (10) Vessels primarily engaged in commerce which have or are required to have a valid marine document as a vessel of the United States ~~((and which are primarily engaged in commerce)); and~~

(11) Vessels primarily engaged in commerce which are owned by a resident of a country other than the United States.

Sec. 47. Section 18, chapter 7, Laws of 1983 and RCW 88.--- are each amended to read as follows:

Application for a vessel registration shall be made to the department or its authorized agent in the manner and upon forms prescribed by the department. The application shall state the name and address of each owner of the vessel and such other information as may be required by the department, shall be signed by at least one owner, and shall be accompanied by a vessel registration fee of six dollars per year and the excise tax imposed under chapter 82.--- RCW (sections 9 through 13 ~~((of this act)), chapter 7, Laws of 1983~~). Any fees required for



licensing agents under RCW 46.01.140 shall be in addition to the six-dollar annual registration fee.

Upon receipt of the application and the registration fee, the department shall assign a registration number and issue a decal for each vessel. The registration number and decal shall be issued and affixed to the vessel in a manner prescribed by the department consistent with the standard numbering system for vessels set forth in volume 33, part 174, of the code of federal regulations. A valid decal affixed as prescribed shall indicate compliance with the annual registration requirements of this chapter.

The vessel registrations and decals are valid for a period of one year, except that the director of licensing may extend or diminish vessel registration periods, and the decals therefor, for the purpose of staggered renewal periods. For registration periods of more or less than one year, the department may collect prorated annual registration fees and excise taxes based upon the number of months in the registration period. Vessel registrations are renewable every year in a manner prescribed by the department upon payment of the vessel registration fee and excise tax. Upon renewing a vessel registration, the department shall issue a new decal to be affixed as prescribed by the department.

A person acquiring a vessel from a dealer or a vessel already validly registered under this chapter shall, within fifteen days of the acquisition or purchase of the vessel, apply to the department or its authorized agent for transfer of the vessel registration, and the application shall be accompanied by a transfer fee of one dollar.

**NEW SECTION.** Sec. 48. There is added to chapter 88, RCW (sections 14 through 22, chapter 7, Laws of 1983) a new section to read as follows:

(1) The department shall provide for the issuance of vessel certificates of title through the agents appointed under RCW 88, (section 17, chapter 7, Laws of 1983). The fee for a vessel certificate of title is five dollars. Fees for vessel certificates of title shall be deposited in the general fund. The provisions of chapters 46.12 and 46.16 RCW relating to motor vehicle certificates of registration, titles, certificate issuance, ownership transfer, and perfection of security interests, and other provisions which may be applied to vessels subject to this chapter, may be so applied by rule of the department if they are not inconsistent with this chapter.

(2) Whenever a vessel is to be registered for the first time as required by this chapter, application shall be made at the same time for a certificate of title. Any person who purchases or otherwise obtains majority ownership of any vessel subject to the provisions of this chapter shall within fifteen days thereof apply for a new certificate of title which shows the vessel's change of ownership.

(3) Security interests may be released or acted upon as provided by the law under which they arose or were perfected. No new security interest or renewal or extension of an existing security interest is affected except as provided under the terms of this chapter and RCW 46.12.095.

(4) Notice shall be given to the issuing authority by the owner indicated on the certificate of registration within fifteen days of the occurrence of any of the following: Transfer of any part or all of the ownership of a vessel registered under this chapter; any change of address of owner; destruction, loss, abandonment, theft, or recovery of the vessel; or loss or destruction of a valid certificate of registration on the vessel.

Sec. 49. Section 15, chapter 7, Laws of 1983 and RCW 88, are each amended to read as follows:

(1) Except as provided in this chapter, no person may own or operate any vessel on the waters of this state unless the vessel has been registered and displays a registration number and a valid decal in accordance with this chapter, except that a vessel which has or is required to have a valid marine document as a vessel of the United States is only required to display a valid decal.

(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.

**NEW SECTION.** Sec. 50. There is added to chapter 88, RCW (sections 14 through 22, chapter 7, Laws of 1983) a new section to read as follows:

(1) The operator of a vessel involved in a collision, accident, or other casualty, to the extent the operator can do so without serious danger to the operator's own vessel or persons aboard, shall render all practical and necessary assistance to persons affected by the collision, accident, or casualty to save them from danger caused by the incident. Under no circumstances may the rendering of assistance or other compliance with this section be evidence of the liability of such operator for the collision, accident, or casualty. The operator shall also give his or her name, address, and the identification of the operator's vessel to the commission and any person injured and to the owner of any property damaged. These duties are in addition to any duties otherwise imposed by law.

(2) Any person who complies with subsection (1) of this section or who gratuitously and in good faith renders assistance at the scene of a vessel collision, accident, or other casualty, without objection of the person assisted, shall not be held liable for any civil damages as a

result of the rendering of assistance or for any act or omission in providing or arranging salvage, towage, medical treatment, or other assistance, where the assisting person acts as any reasonably prudent person would have acted under the same or similar circumstances.

**NEW SECTION.** Sec. 51. There is added to chapter 82, RCW (sections 9 through 13, chapter 7, Laws of 1983) a new section to read as follows:

(1) Any county may impose a tax, by ordinance or resolution, upon the privilege of using a vessel taxable under RCW 82, (section 9, chapter 7, Laws of 1983) which is moored or stored in the county, if the population of the unincorporated area of the county together with the population of the cities which are parties to an interlocal agreement under chapter 39.34 RCW equal or exceed two-thirds of the total population of the county: PROVIDED, That such agreement shall take into consideration any marine patrols provided as of the effective date of this section. The annual amount of the tax shall be up to fifty cents per foot of the vessel per calendar year, or part thereof.

(2) The excise tax upon a vessel registered for the first time in this state shall be imposed for a twelve-month period, including the month in which the vessel is registered, unless the director of licensing extends or diminishes vessel registration periods for the purpose of staggered renewal periods under RCW 88, (section 18, chapter 7, Laws of 1983). A vessel is registered for the first time in this state when the vessel was not registered in this state for the immediately preceding registration year, or when the vessel was registered in another jurisdiction for the immediately preceding year.

(3) The tax imposed under this section is due and payable to the department of licensing or its agents at the time of registration of a vessel.

(4) The moneys collected under this section shall be distributed by the county monthly to the parties to the interlocal agreement according to the terms of the agreement. Moneys collected under this section shall be used only for administration and enforcement of boating safety, search and rescue operations concerning boating, and boating patrols.

Sec. 52. Section 22, chapter 7, Laws of 1983 and RCW 88, are each amended to read as follows:

(1) A violation of this chapter is a misdemeanor punishable only by a fine not to exceed one hundred dollars per vessel for the first violation. Subsequent violations in the same year are subject to the following fines:

(a) For the second violation, a fine of two hundred dollars per vessel;

(b) For the third and successive violations, a fine of four hundred dollars per vessel.

(2) ~~After subtraction of court costs and administrative collection fees, moneys collected under this section shall be (used by the jurisdiction collecting the fine exclusively for law enforcement purposes)~~ credited to the current expense fund of the arresting jurisdiction.

(3) All law enforcement officers shall have the authority to enforce this chapter within their respective jurisdictions.

Sec. 53. Sections 84.36.080, chapter 15, Laws of 1961 as amended by section 23, chapter 7, Laws of 1983 and RCW 84.36.080 are each amended to read as follows:

All ships and vessels which are exempt tax under subsection ~~(8) and (9) of section 16 of this 1983 act~~ (2) of section 45 of this 1983 act and subsection (10) of RCW 88, ~~---, --- (section 46 of this 1983 act)~~ shall be and are hereby made exempt from all ad valorem taxes, except taxes levied for any state purpose.

**NEW SECTION.** Sec. 54. There is added to chapter 43.51 RCW a new section to read as follows:

The state parks and recreation commission shall:

(1) Coordinate a state-wide program of boating safety education using to the maximum extent possible existing programs offered by the United States power squadron and the United States coast guard auxiliary;

(2) Adopt rules in accordance with chapter 34.04 RCW, consistent with United States coast guard regulations, standards, and precedents, as needed for the efficient administration and enforcement of this section;

(3) Develop by January 31, 1984, a state-wide inventory of marine state parks and recreational facilities operated by other state and local agencies that are available for marine-related use by persons owning boats in this state;

(4) Enter into agreements aiding the administration of this chapter;

(5) Adopt and administer a casualty and accident reporting program consistent with United States coast guard regulations;

(6) Coordinate with local and state agencies the development of biennial plans and programs for the enhancement of boating safety, safety education, and enforcement of safety rules and laws; allocate money appropriated to the commission for these programs as necessary; and accept and administer any public or private grants or federal funds which are obtained for these purposes under chapter 43.88 RCW; and

(7) Take additional actions necessary to gain acceptance of a program of boating safety for this state under the federal boating safety act of 1971.

NEW SECTION. Sec. 55. (1) One-half of the tax paid for a vessel under section 9, chapter 7, Laws of 1983, before its amendment under this act, shall be allowed as a credit against tax due for the vessel in 1984 under section 44 of this act.

(2) An owner of a vessel covered by a valid certificate of registration issued under federal law may continue to operate the vessel in this state under that federal registration until January 31, 1984. The provisions of chapter 82, RCW (sections 9 through 13, chapter 7, Laws of 1983) and chapter 88, RCW (sections 14 through 22, chapter 7, Laws of 1983) shall apply to all such vessels after January 31, 1984, except that the excise tax imposed under chapter 82, RCW (sections 9 through 13, chapter 7, Laws of 1983) shall be assessed as if such vessels had been required to be registered on June 30, 1983.

NEW SECTION. Sec. 56. There is added to chapter 39.64 RCW a new section to read as follows:

Nothing in this chapter may be deemed to grant to any operating agency organized under chapter 43.52 RCW, or a project of any such operating agency, the authority to levy any tax or assessment not otherwise authorized by law.

NEW SECTION. Sec. 57. There is added to chapter 82.02 RCW a new section to read as follows:

Nothing in this title may be deemed to grant to any operating agency organized under chapter 43.52 RCW, or a project of any such operating agency, the authority to levy any tax or assessment not otherwise authorized by law.

NEW SECTION. Sec. 58. There is added to chapter 84.09 RCW a new section to read as follows:

Nothing in this title may be deemed to grant to any operating agency organized under chapter 43.52 RCW, or a project of any such operating agency, the authority to levy any tax or assessment not otherwise authorized by law.

Sec. 59. Section 6, chapter 94, Laws of 1970 ex. sess. as last amended by section 10, chapter 4, Laws of 1981 2nd ex. sess. and RCW 82.14.050 are each amended to read as follows:

The counties, metropolitan municipal corporations and cities shall contract, prior to the effective date of a resolution or ordinance imposing a sales and use tax, the administration and collection to the state department of revenue, which shall deduct a percentage amount, as provided by contract, not to exceed ~~((two))~~ one and one-half percent of the taxes collected for administration and collection expenses incurred by the department. The remainder of any portion of any tax authorized by this chapter which is collected by the department of revenue shall be deposited by the state department of revenue in the local sales and use tax account hereby created in the general fund. Moneys in the local sales and use tax account may be spent only for distribution to counties, metropolitan municipal corporations, and cities imposing a sales and use tax. All administrative provisions in chapters 82.03, 82.08, 82.12, and 82.32 RCW, as they now exist or may hereafter be amended, shall, insofar as they are applicable to state sales and use taxes, be applicable to taxes imposed pursuant to this chapter.

Sec. 60. Section 7, chapter 94, Laws of 1970 ex. sess. as last amended by section 11, chapter 4, Laws of 1981 2nd ex. sess. and RCW 82.14.060 are each amended to read as follows:

~~((Bimonthly))~~ Monthly the state treasurer shall make distribution from the local sales and use tax account to the counties, metropolitan municipal corporations and cities the amount of tax collected on behalf of each county, metropolitan municipal corporation or city, less the deduction provided for in RCW 82.14.050. The state treasurer shall make the distribution under this section without appropriation.

In the event that any ordinance or resolution imposes a sales and use tax at a rate in excess of the applicable limits contained herein, such ordinance or resolution shall not be considered void in toto, but only with respect to that portion of the rate which is in excess of the applicable limits contained herein.

Sec. 61. Section 33, chapter 7, Laws of 1983 and RCW 82.32, are each amended to read as follows:

The revenue accrual account is hereby created in the state general fund. At the close of each fiscal biennium, the state treasurer shall transfer the balance in the state general fund, other than amounts reappropriated for the next fiscal biennium, to this account. Moneys in this account may only be spent after appropriation by statute for the purpose of decreasing the unfunded liability of a state retirement system.

NEW SECTION. Sec. 62. Section 20, chapter 22, Laws of 1982 1st ex. sess. and RCW 35.21.285 are each repealed.

NEW SECTION. Sec. 63. Section 10, chapter 172, Laws of 1981 and RCW 82.04.265 are each repealed.

Sec. 64. Section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.071 are each amended to read as follows:

(1) Upon every person engaging within this state in business as a harvester of timber: as to such persons the amount of tax imposed with respect to such business shall be equal to the stumpage value of timber harvested between July 1, 1983, through June 30, 1984, for sale or for commercial or industrial use multiplied by the ~~((appropriate))~~ rate ~~((as follows:~~

For timber harvested between October 1, 1974 and June 30, 1983, inclusive.)) of six and one-half percent.

(2) For purposes of this section:

(a) "Harvester" means every person who from his own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services fells, cuts or takes timber for sale or for commercial or industrial use. It does not include persons performing under contract the necessary labor or mechanical services for a harvester.

(b) "Timber" means forest trees, standing or down, on privately or publicly owned land, and except as provided in RCW 84.33.170 includes Christmas trees.

(c) "Stumpage value of timber" means the appropriate stumpage value shown on tables to be prepared by the department of revenue pursuant to subsection (3) of this section.

(d) Timber shall be considered harvested at the time when in the ordinary course of business the quantity thereof by species is first definitely determined. The amount harvested shall be determined by the Scribner Decimal C Scale or other prevalent measuring practice adjusted to arrive at substantially equivalent measurements, as approved by the department of revenue.

(3) The department of revenue shall designate areas containing timber having similar growing, harvesting and marketing conditions to be used as units for the preparation and application of stumpage values. Each year on or before December 31 for use the following January through June 30, and on or before June 30 for use the following July through December 31, the department shall prepare tables of stumpage values of each species or subclassification of timber within such units, which values shall be the amount that each such species or subclassification would sell for at a voluntary sale made in the ordinary course of business for purposes of immediate harvest. Such stumpage values, expressed in terms of a dollar amount per thousand board feet or other unit measure, shall be determined from (a) gross proceeds from sales on the stump of similar timber of like quality and character at similar locations, and in similar quantities, or from (b) gross proceeds from sales of logs adjusted to reflect only the portion of such proceeds attributable to value on the stump immediately prior to harvest, or from a combination of (a) and (b), and shall be determined in a manner which makes reasonable and adequate allowances for age, size, quality, costs of removal, accessibility to point of conversion, market conditions and all other relevant factors. Upon application from any person who plans to harvest damaged timber, the stumpage values for which have been materially reduced from the values shown in the applicable tables due to damage resulting from fire, blow down, ice storm, flood or other sudden unforeseen cause, the department shall revise such tables for any area in which such timber is located and shall specify any additional accounting or other requirements to be complied with in reporting and paying such tax. The preliminary area designations and stumpage value tables and any revisions thereof shall be subject to review by the ways and means committees of the house and senate prior to finalization. Tables of stumpage values shall be signed by the director or his designee and authenticated by the official seal of the department. A copy thereof shall be mailed to anyone who has submitted to the department a written request therefor.

(4) On or before the sixtieth day after the date of final adoption of any stumpage value tables, any harvester may appeal to the board of tax appeals for a revision of stumpage values for an area determined pursuant to subsection (3) of this section.

(5) There are hereby created in the state treasury a state timber tax account A and a state timber tax reserve account in the state general fund and any interest earned on the investment of cash balances shall be deposited in these accounts. The revenues from the tax imposed by subsection (1) of this section on timber harvested from privately owned land shall be deposited in state timber tax account A and state timber tax reserve account as follows:

YEAR OF COLLECTION	ACCOUNT A	RESERVE ACCOUNT
1973 and thereafter	100%	0%

The revenues from the tax imposed by subsection (1) of this section on timber harvested from publicly owned land shall be deposited in the state general fund.

(6) The tax imposed under this section shall be computed with respect to timber harvested each calendar quarter and shall be due and payable in quarterly installments and remittance therefor shall be made on or before the last day of the month next succeeding the end of the quarterly period in which the tax accrued. The taxpayer on or before such date shall make out a return, upon such forms and setting forth such information as the department of revenue may require, showing the amount of the tax for which he is liable for the preceding quarterly period, and shall sign and transmit the same to the department of revenue, together with a remittance for such amount.

(7) The taxes imposed by this section shall be in addition to any taxes imposed upon the same persons pursuant to one or more of sections RCW 82.04.230 to 82.04.290, inclusive, and RCW 82.04.440, and none of such sections shall be construed to modify or interact with this section in any way, except RCW 82.04.450 and 82.32.045 shall not apply to the taxes imposed by this section.

(8) Any harvester incurring less than ten dollars tax liability under this section in any calendar quarter shall be excused from the payment of such tax, but may be required by the department of revenue to file a return even though no tax may be due.

NEW SECTION, Sec. 65. There is added to chapter 43.06 RCW a new section to read as follows:

Beginning in January, 1984, and in January of every even-numbered year thereafter, the department of revenue shall submit to the legislature prior to the regular session a listing of the amount of reduction for the current and next biennium in the revenues of the state or the revenues of local government collected by the state as a result of tax exemptions. The listing shall include an estimate of the revenue lost from the tax exemption, the purpose of the tax exemption, the persons, organizations, or parts of the population which benefit from the tax exemption, and whether or not the tax exemption conflicts with another state program. The listing shall include but not be limited to the following revenue sources:

- (1) Real and personal property tax exemptions under Title 84 RCW;
- (2) Business and occupation tax exemptions, deductions, and credits under chapter 82.04 RCW;
- (3) Retail sales and use tax exemptions under chapters 82.08, 82.12, and 82.14 RCW;
- (4) Public utility tax exemptions and deductions under chapter 82.16 RCW;
- (5) Conveyance tax exemptions under chapter 82.20 RCW;
- (6) Food fish and shellfish tax exemptions under chapter 82.27 RCW;
- (7) Leasehold excise tax exemptions under chapter 82.29A RCW;
- (8) Motor vehicle and special fuel tax exemptions and refunds under chapters 82.36 and 82.38 RCW;
- (9) Aircraft fuel tax exemptions under chapter 82.42 RCW;
- (10) Motor vehicle excise tax exclusions under chapter 82.44 RCW; and
- (11) Insurance premiums tax exemptions under chapter 48.14 RCW.

The department of revenue shall prepare the listing required by this section with the assistance of any other agencies or departments as may be required.

The department of revenue shall present the listing to the ways and means committees of each house in public hearings.

Beginning in January, 1984, and every four years thereafter the governor is requested to review the report from the department of revenue and may submit recommendations to the legislature with respect to the repeal or modification of any tax exemption. The ways and means committees of each house and the appropriate standing committee of each house shall hold public hearings and take appropriate action on the recommendations submitted by the governor.

As used in this section, "tax exemption" means an exemption, exclusion, or deduction from the base of a tax; a credit against a tax; a deferral of a tax; or a preferential tax rate.

NEW SECTION, Sec. 66. There is appropriated from the general fund to the parks and recreation commission for the fiscal year ending June 30, 1984, the sum of seventy-nine thousand dollars, or so much thereof as may be necessary, for the operation of a boating safety and education program established under section 54 of this act.

NEW SECTION, Sec. 67. This act shall not be construed as affecting any existing right acquired or liability or obligation incurred under the sections amended or repealed in this act or under any rule, regulation, or order adopted under those sections, nor as affecting any proceeding instituted under those sections.

NEW SECTION, Sec. 68. 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. 69. (1) 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, 1983, except that:

- (a) Sections 44 through 52, and 54, 55, 67, and 68 of this act shall take effect June 30, 1983;
- (b) Sections 1 through 4 of this act shall take effect July 1, 1983, except as provided in subsection (2) of this section;
- (c) Sections 21, 22, 24, and 53 of this act shall take effect January 1, 1984. Sections 24 and 53 of this act shall be effective for property taxes levied in 1983 and due in 1984, and thereafter; and

(d) The extension under this act of the retail sales tax to certain sales of telephone service shall apply to telephone service billed on or after July 1, 1983, whether or not such service was rendered before that date.

(2) The legislature finds that the amendments contained in sections 1 through 4 of this act constitute an integrated and inseparable entity and if any one or more of those sections does not become law, the remaining sections shall not take effect. If sections 1 through 4 of this act do not become law, the governor shall in that event reduce approved allotments under RCW 43.88.110 for the 1983-85 biennium by four percent."

Debate ensued.

## POINT OF INQUIRY

Senator Deccio: "Senator McDermott, what is the total of this package--total dollars?"

Senator McDermott: "Senator Deccio, we have gone over this package enough times that I have actually forgotten the exact figure. It is about four hundred or three hundred ninety-six million dollars. I am not sure of the precise figure, but it is right around four hundred million dollars."

## POINT OF INQUIRY

Senator Guess: "Senator McDermott, you said something or Senator Bottiger did about the border counties. Can you tell me what is the status of the action now in Senate Bill No. 3909--as it stands?"

Senator Bottiger: "The same position that the Senate has had all through this session, that in recognition of the problems of the competition with the Portland area, the three or four border counties pay a lower sales tax, but a higher B & O tax. It is almost a wash within the size of our budget, depending upon who you talk to--fourteen million dollars difference, something like that."

Senator Guess: "Mr. President and members of the Senate. I received some very interesting information this morning and would be happy to furnish you with copies of it. The sales tax in Spokane County increased between '79 and '80 by two percent, between '80 and '81 by three percent, and in '81 and '82, it increased by three percent. But on the other hand, in Clark County, after a down-turn of one percent between '79 and '80, they had a growth of five percent between '80 and '81 and they had a ten percent growth between '81 and '82. Here we are giving those people in that area a break that is not given to other border counties and I think it is rank discrimination."

Further debate ensued.

Senators Bottiger, Shinpoch and Conner demanded the previous question.

Senator Bottiger demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on shall the main question be now put.

## ROLL CALL

The Secretary called the roll and the demand for the previous question was sustained by the following vote: Yeas, 25; nays, 22; absent, 1; excused, 1.

Voting yea: Senators Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McDermott, McManus, Moore, Owen, Peterson, Rasmussen, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Woody - 25.

Voting nay: Senators Barr, Bluechel, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Sellar, von Reichbauer, Zimmerman - 22.

Absent: Senator Wojahn - 1.

Excused: Senator Benitz - 1.

## POINT OF ORDER

Senator Lee: "Mr. President, I had an amendment that was distributed and that has been on the desk since 9:30 this morning. I guess this query I am making as far as a point of order is whether or not this amendment is to be considered, whether we are changing the rules that we are no longer allowed to consider amendments? In fact, this has been known about for more than twenty-four hours."

## REPLY BY THE PRESIDENT

President Cherberg: "Senator Lee, in reply to your point, the demand for the previous question was sustained and that eliminates the possibility of considering your amendment."

## REMARKS BY SENATOR LEE

Senator Lee: "I think my question was, since the amendment had been submitted before the bill was even before us--it was there by 9:30 this morning, I guess I am really asking what kind of ruling was made that the amendment was not even considered?"

## REPLY BY THE PRESIDENT

President Cherberg: "The President is unaware of any ruling that was made."

## REMARKS BY SENATOR BOTTIGER

Senator Bottiger: "In the normal course of business, the amendment that was offered, the amendment to the amendment would have been offered. It became pretty obvious, at least to me, what the strategy was. Now, had the amendment been offered and the speeches went around the amendment, then it would make a lot of difference. We all know what the game is. You extracted an absolute promise from the Governor that if it wasn't there at 4 o'clock, that he was going to veto it-- 4:01, 4:02, he would veto it. Now, it has got to go to the House. It has to do the rest of those things."

## PERSONAL PRIVILEGE

Senator Hayner: "A point of personal privilege. I would just like to say that I am absolutely outraged by the fact that we can not even debate on the largest tax increase in the history of this state. We have been very cooperative with the other side of the aisle. We have let you pull bills out of Rules. We have let you pull them out of committee. We have even given you one hundred and thirty-six days to come down on this issue and one hour and one-half before the deadline, you cut us off from debate on the most important thing. We have seen this ten minutes before we are supposed to vote on it. Now, I think that is a disgrace and we are not representing the people of this state adequately."

## POINT OF INQUIRY

Senator Bottiger: "Senator Hayner, if the amendments are offered and debated and the debate goes on and the bill gets down there at seven o'clock, will you join me in asking the Governor to sign it, rather than vetoing it because we went by four o'clock?"

Senator Hayner: "Senator Bottiger, it would not have to go by four o'clock. You could take those amendments very quickly. They were amendments that we dealt with last night. You know what the issue is and we think that it is very important to have cut-offs on these. We are tired of seeing this awesome spiral of spending and taxing and spending and taxing and we want to have a part of cutting that off."

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

The motion by Senator McDermott carried and the amendment was adopted.

## MOTION

On motion of Senator McDermott, the following title amendment was adopted:

On page 1, line 1 of the title, after "taxation," insert "amending section 3, chapter 65, Laws of 1970 ex. sess. as amended by section 1, chapter 9, Laws of 1983 and RCW 82.04.255; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 2, chapter 9, Laws of 1983 and RCW 82.04.290; amending section 3, chapter 9, Laws of 1983 and RCW 82.04....; amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4, chapter 9, Laws of 1983 and RCW 82.04.2901; reenacting and amending section 16, chapter 10, Laws of 1982 as last amended by section 4, chapter \_\_\_\_ (SSB 3244), Laws of 1983 1st ex. sess. and by section 4, chapter \_\_\_\_ (SHB 72), Laws of 1983 1st ex. sess. and RCW 82.04.260; amending section 31, chapter 35, Laws of 1982 1st ex. sess. as last amended by section 8, chapter 7, Laws of 1983 and RCW 82.02.030; amending section .14.02, chapter 79, Laws of 1947 as last amended by section 1, chapter 10, Laws of 1982 2nd ex. sess. and RCW 48.14.020; amending section 2, chapter 278, Laws of 1957 as last amended by section 18, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.020; amending section 6, chapter 366, Laws of 1977 ex. sess. as amended by section 19, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.025; amending section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 23, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.210; amending section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 24, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.290; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 3, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.150; amending section 82.16.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 5, Laws of 1982 2nd ex. sess. and RCW 82.16.020; amending section 82.20.010, chapter 15, Laws of 1961 as amended by section 7, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.20.010; amending section 82.24.020, chapter 15, Laws of 1961 as last amended by section 8, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.24.020; amending section 82.26.020, chapter 15, Laws of 1961 as

last amended by section 9, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.26.020; amending section 2, chapter 98, Laws of 1980 as last amended by section 6, chapter 284, Laws of 1983 and RCW 82.27.020; amending section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. as amended by section 11, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.29A.030; amending section 82.44-.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.44.020; amending section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 14, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.45.060; amending section 82.48.010, chapter 15, Laws of 1961 as last amended by section 239, chapter 158, Laws of 1979 and RCW 82.48.010 amending section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030 amending section 82.32.090, chapter 15, Laws of 1961 as last amended by section 32, chapter 7, Laws of 1983 and RCW 82.32.090; amending section 6, chapter 40, Laws of 1973 2nd ex. sess. as amended by section 3, chapter 141, Laws of 1981 and RCW 84.36.800; amending section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 144, Laws of 1981 and RCW 82.04.050; amending section 82.04.060, chapter 15, Laws of 1961 and RCW 82.04.060; amending section 82.04.190, chapter 15, Laws of 1961 as last amended by section 2, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.190; amending section 82.04.460, chapter 15, Laws of 1961 as amended by section 9, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.460; amending section 82.04.470, chapter 15, Laws of 1961 as amended by section 43, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.470; amending section 3, chapter 94, Laws of 1970 ex. sess. as last amended by section 1, chapter 211, Laws of 1982 and RCW 82.14.020; amending section 82.16-.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1982 2nd ex. sess. and RCW 82.16.010; amending section 6, chapter 134, Laws of 1972 ex. sess. as last amended by section 7, chapter 99, Laws of 1983 and RCW 35.21.710; amending section 7, chapter 134, Laws of 1972 ex. sess. as amended by section 7, chapter 144, Laws of 1981 and RCW 35A.82.050; amending section 8, chapter 144, Laws of 1981 and RCW 35.21.712; amending section 9, chapter 144, Laws of 1981 and RCW 35A.82.055; amending section 10, chapter 144, Laws of 1981 and RCW 35.21.714; amending section 11, chapter 144, Laws of 1981 and RCW 35A.82.060; amending section 2, chapter 49, Laws of 1982 1st ex. sess. and RCW 35.21.860; amending section 80.04.270, chapter 14, Laws of 1961 as amended by section 5, chapter 144, Laws of 1981 and RCW 80.04.270; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 7, Laws of 1983 and RCW 82.08.020; amending section 39, chapter 37, Laws of 1980 as amended by section 1, chapter 5, Laws of 1982 1st ex. sess. and RCW 82.08.0273; amending section 9, chapter 7, Laws of 1983 and RCW 82.\_\_\_\_; amending section 16, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_; amending section 18, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_; amending section 15, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_; amending section 22, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_; amending section 84.36.080, chapter 15, Laws of 1961 as amended by section 23, chapter 7, Laws of 1983 and RCW 84.36.080; amending section 6, chapter 94, Laws of 1970 ex. sess. as last amended by section 10, chapter 4, Laws of 1981 2nd ex. sess. and RCW 82.14.050; amending section 7, chapter 94, Laws of 1970 ex. sess. as last amended by section 11, chapter 4, Laws of 1981 2nd ex. sess. and RCW 82.14.060; amending section 33, chapter 7, Laws of 1983 and RCW 82.32.\_\_\_\_; amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.071; adding a new section to chapter 39.64 RCW; adding a new section to chapter 43.06 RCW; adding a new section to chapter 43.51 RCW; adding new sections to chapter 82.\_\_\_\_ RCW (sections 9 through 13, chapter 7, Laws of 1983); adding new sections to chapter 88.\_\_\_\_ RCW (sections 14 through 22, chapter 7, Laws of 1983); adding a new section to chapter 82.02 RCW; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 84.09 RCW; creating new sections; repealing section 20, chapter 22, Laws of 1982 1st ex. sess. and RCW 35.21.285; repealing section 10, chapter 172, Laws of 1981 and RCW 82.04.265; making an appropriation; providing effective dates; and declaring an emergency."

#### MOTION

On motion of Senator McDermott, the rules were suspended, Second Reengrossed Senate Bill No. 3909 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Second Reengrossed Senate Bill No. 3909.

#### ROLL CALL

The Secretary called the roll on final passage of Second Reengrossed Senate Bill No. 3909 and the bill passed the Senate by the following vote: Yeas, 26; nays, 22; excused, 1.



Voting yea: Senators Bauer, Bender, Boltiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McDermott, McManus, Moore, Owen, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody, Zimmerman - 26.

Voting nay: Senators Barr, Bluechel, Clarke, Craswell, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Rasmussen, Sellar, von Reichbauer - 22.

Excused: Senator Benitz - 1.

SECOND REENGROSSED SENATE BILL NO. 3909, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Boltiger, Second Reengrossed Senate Bill No. 3909 was ordered immediately transmitted to the House.

#### STATEMENT FOR THE JOURNAL PROTEST

May 25, 1983

Certain actions on May 25, 1983, ignored Senate Rules and deprived the Senate of the right to consider cut off dates on taxes and to use surplus funds for pension payments. The entire Senate and staff were aware of the two amendments to be proposed on Senate Bill 3909, the omnibus tax bill.

At 9:15 a.m., I submitted to the Assistant, in the presence of the Secretary of the Senate, copies of the two amendments which had been adopted by the Senate the night before on a similar measure (HB 52). My instructions were to duplicate the amendments for use on SB 3909.

At 9:25 a.m., Senator Ted Boltiger approached me and Senator Hayner with his concern that more than the two amendments might be offered. Our answer was 'no,' but that the two amendments had been submitted. This information was later conveyed to the Republican caucus and to Democrat staffer, Marty Brown.

However, at 2:30 p.m., when SB 3909 was brought before us, it was bumped to 3rd reading, debate was cut off, and not until my point of order was finally recognized did one of the amendments appear. The President of the Senate refused to rule and the majority leader accused the protestors of delaying tactics. Such actions prevent the Senate from exercising its constitutional responsibilities.

Senator Eleanor M. Lee

#### MOTION

At 2:29 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 4:44 p.m.

#### MOTION

On motion of Senator Shinpoch, the Senate reverted to the fourth order of business.

#### MESSAGE FROM THE HOUSE

May 25, 1983

Mr. President:

The House has passed SECOND REENGROSSED SENATE BILL NO. 3909 with the following amendments:

On page 53, after line 16, insert the following:

"Sec. 66, Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4 of this 1983 act and RCW 82.04.2901 are each amended to read as follows:

Until and including the thirtieth day of June, 1985, there is levied and shall be collected from every person, other than persons taxed under RCW 82.04.... (section 3, chapter 9, Laws of 1983), for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW 82.04.250, an additional tax equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under the provisions of RCW 82.04.250(~~PROVIDED: That as to such persons making sales at retail in border counties other than retail sales of telephone services, as defined in section 26 of this 1983 act, 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~~); PROVIDED

((FURTHER)), That the additional tax under this section shall be imposed only if all of the amendments contained in sections 1 through 3 of this 1983 act become law.

To facilitate collection of this additional tax, 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.

Sec. 67. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 42 of this 1983 act and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and five-tenths percent of the selling price ~~((PROVIDED, That for retail sales other than retail sales of telephone services, as defined in section 25 of this 1983 act, such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price))~~.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020."

Renumber the sections consecutively and correct any internal references accordingly.

On page 54, after line 13, insert the following:

"(e) Sections 66 and 67 of this act shall take effect on the day either of the following events occurs, whichever is earlier:

(i) A temporary or permanent injunction or order becomes effective which prohibits in whole or in part the collection of taxes at the rates specified in section 6, chapter 7, Laws of 1983; or

(ii) A decision of a court in this state invalidating in whole or in part section 6, chapter 7, Laws of 1983, becomes final."

On page 57, line 11 of the title, after "84.33.071;" insert amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4 of this 1983 act and RCW 82.04.2901; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 42 of this 1983 act and RCW 82.08.020;"

On page 20, beginning on line 34 of the amendment, strike all material through line 30 on page 21

Renumber the sections consecutively and correct any internal references accordingly.

On page 54, line 6 of the amendment, strike "24."

On page 54, line 7 of the amendment, strike "Sections 24 and" and insert "Section"

On page 56, beginning on line 3 of the title amendment, after "82.32.090;" strike all material through "84.36.800;" on line 5

On page 3, strike line 12 and insert "((§(4) This section shall expire July 1, 1983.))

On page 3, beginning on line 16, strike all material through "there" on line 17, and insert: "~~(From and after the first day of April, 1982, until and including the thirtieth day of June, 1983.))~~ There

On page 37 of the amendment, after line 33, strike all of section 43

Renumber the sections consecutively and correct internal references accordingly.

On page 56 of the amendment, line 31, after "82.08.020;" strike all material down through "82.08.0273;" on line 33

On page 57, line 18 of the title amendment after "84.09 RCW;" strike everything down to and including "35.21.285;" on line 10

On page 49, beginning on line 7, strike section 62.

Renumber remaining sections consecutively and correct internal references accordingly.

On page 47, beginning on line 32 of the amendment, strike all material through line 32 on page 48

Renumber the sections consecutively and correct internal references accordingly.

On page 57, beginning on line 4 of the title amendment, after "84.36.080;" strike all material through "82.14.060;" on line 8

On page 53 of the amendment, after line 16, insert the following:

"Sec. 66. Section 1, chapter 7, Laws of 1981 as last amended by section 27, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.32.045 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, payments of the taxes imposed under chapters 82.04, 82.08, 82.12, 82.14, and 82.16 RCW, along with reports and returns on forms prescribed by the department, are due monthly within ~~((the number of))~~ twenty-five days ~~((specified in the following table))~~ after the end of the month in which the taxable activities occur.

	Days
October, 1981 through March, 1982	25
April, 1982 through March, 1983	20
April, 1983 and thereafter	15)

(2) ~~((A monthly taxpayer may elect to remit an estimated amount of the tax due for each month on or before the due date set forth in subsection (1) of this section. The estimated amount~~

of tax remitted shall be at least the greater of ninety percent of the tax actually due for the month or one-third of the tax due during the corresponding quarter of the previous year. Each taxpayer filing an estimated return shall file a separate quarterly return on the last day of the month after the end of each calendar quarter. Each quarterly return shall be on forms prescribed by the department, include such information as the department may require to correctly determine tax liability during the quarter, and be accompanied by a remittance of the balance of the tax actually due for the quarter.

(3)) The department of revenue may relieve any taxpayer or class of taxpayers from the obligation of remitting monthly and may require the return to cover other longer reporting periods, but in no event may returns be filed for a period greater than one year. For these taxpayers, tax payments are due on or before the last day of the month next succeeding the end of the period covered by the return.

((4)) (3) The department of revenue may also require verified annual returns from any taxpayer, setting forth such additional information as it may deem necessary to correctly determine tax liability."

Renumber the sections consecutively and correct internal references accordingly.

On page 54 of the amendment, line 10, after "(d)" insert the following:

"Section 66 of this act shall take effect April 1, 1985, and shall be effective in respect to taxable activities occurring on and

(e)"

On page 57 of the amendment, line 11, after "84.33.071;" insert "amending section 1, chapter 7, Laws of 1981 as last amended by section 27, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.32.045;".

and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### MOTION

On motion of Senator Bottiger, the Senate concurred in all of the House amendments to Second Reengrossed Senate Bill No. 3909, with the exception of the amendments on page 49, line 7, and page 57, line 13, and asks the House to recede therefrom.

#### MOTION

On motion of Senator Bottiger, the transaction of Second Reengrossed Senate Bill No. 3909 was ordered immediately transmitted to the House.

#### POINT OF ORDER

Senator Rasmussen: "Mr. President, I would like to raise a point of order. I am reading the Governor's Proclamation--'I do hereby convene the Washington State Legislature in a second extraordinary (special) session immediately for a period up to 4:00 p.m. on May 25, 1983.' Would the President please advise me what time he has?"

#### REPLY BY THE PRESIDENT

President Cherberg: "It is 4:49 p.m."

#### REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "Mr. President, according to the Governor's Proclamation, and it is the only one I have on my desk, we are out of business as of four o'clock today. So would the President advise me what we would do in this circumstance?"

#### REPLY BY THE PRESIDENT

President Cherberg: "Senator Rasmussen, you probably know better than the President, but the President considers the Governor's Proclamation as merely a suggestion, rather than a mandate. The Constitution does not provide the Governor with the power to mandate the length of a session or the measures to be considered."

#### REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "Thank you, Mr. President. That was the ruling I wanted, because it would appear to me, also, that the Governor has exceeded his powers as granted by the Constitution. He apparently has also exceeded, in his mind, the powers that are granted to him by anybody, because we have three separate--we have the executive, the judicial and the legislative. It rather hurts me deeply,

being a member of the legislative, to find that the Governor would exceed his Constitutional authority in his Proclamation and then, also, to find out that we feel that the legislative has to jump through the hoop. I am not very good at that and I thank you for bringing that point of order--clarifying it, because he has exceeded his Constitutional authority. I hope next time, that he will read the Constitution thoroughly before he issues a Proclamation."

## REPLY BY THE PRESIDENT

President Cherberg: "Thank you, Senator Rasmussen."

## REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "It is truly just a piece of paper and means nothing?"

## REMARKS BY SENATOR HAYNER

Senator Hayner: "Ladies and gentlemen of the Senate. This was purportedly an agreement among the leaders of the House and Senate. I don't think there was any consideration of the powers as far as limiting. It was an agreement between the various people and those kinds of agreements are usually given some status. I think it is very unfortunate that those who have agreed to this are unable to do it.

"Now, we were given that authority two years ago and we abided by it and we were able to do what was necessary in a nine hour period. In fact, we sine died before the time that we had agreed that we would do so. I just wanted to make that statement."

Debate ensued.

## MOTION

At 4:58 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The President called the Senate to order at 5:50 p.m.

## MESSAGE FROM THE HOUSE

May 25, 1983

Mr. President:

The House refuses to recede from its amendments to SECOND REENGROSSED SENATE BILL NO. 3909 on page 49, line 7, and page 57, line 18, and insists on its position, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## MOTION

On motion of Senator Bottiger, the Senate once again insists on its position on the amendments on page 49, line 7 and page 57, line 18, to Second Reengrossed Senate Bill No. 3909 and once again asks the House to recede therefrom.

## MOTION

At 5:59 p.m., on motion of Senator Shinpoch, the Senate was declared to be at ease.

The Senate was called to order by the President at 6:05 p.m.

## MESSAGE FROM THE HOUSE

May 25, 1983

Mr. President:

The House once again refuses to recede from its amendments to SECOND REENGROSSED SENATE BILL NO. 3909 on page 49, line 7, and page 57, line 18, and once again insists on its position, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## MOTION

On motion of Senator Bottiger, the Senate concurred in the House amendments on page 49, line 7, and page 57, line 18, to Second Reengrossed Senate Bill No. 3909.

The President declared the question before the Senate to be the roll call on final passage of Second Reengrossed Senate Bill No. 3909, as amended by the House.

## ROLL CALL

The Secretary called the roll on final passage of Second Reengrossed Senate Bill No. 3909, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 25; nays, 16; absent, 8.

Voting yea: Senators Bauer, Bender, Boltiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McDermott, McManus, Moore, Owen, Peterson, Rinehart, Shinpoch, Talmadge, Thompson, Vognild, Warnke, Williams, Wojahn, Woody - 25.

Voting nay: Senators Barr, Bluechel, Clarke, Deccio, Fuller, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Metcalf, Newhouse, Patterson, Sellar, von Reichbauer - 16.

Absent: Senators Benitz, Craswell, Lee, McCaslin, Pullen, Quigg, Rasmussen, Zimmerman - 8.

SECOND REENGROSSED SENATE BILL NO. 3909, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGES FROM THE HOUSE

May 25, 1983

Mr. President:

The House has passed:

REENGROSSED SUBSTITUTE SENATE BILL NO. 3290, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 25, 1983

Mr. President:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 30, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 25, 1983

Mr. President:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 605, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 25, 1983

Mr. President:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 50, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 3290.

## MOTION

On motion of Senator McDermott, the Senate advanced to the fifth order of business.

## FIRST READING OF HOUSE BILL

ESHB 605 by Committee on Ways and Means (originally sponsored by Representatives O'Brien, Sommers, Betrozoff and Miller)

Revising provisions relating to the state convention and trade center.

## MOTIONS

On motion of Senator McDermott, the rules were suspended. Engrossed Substitute House Bill No. 605 was advanced to second reading and read the second time.

Senator Shinpoch moved adoption of the following amendment:

On page 5, line 34, strike all of section 7 and renumber the remaining sections accordingly.

Debate ensued.

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

The motion by Senator Shinpoch carried and the amendment was adopted.

#### MOTION

Senator Bottiger moved adoption of the following amendment:

On page 6, line 10, after "1985," strike "\$4,234,000" and insert "\$2,024,360"

Debate ensued.

#### POINT OF INQUIRY

Senator Hemstad: "Senator Shinpoch, I am not unsympathetic to the concerns that you are raising, but when I see the figure here of fifteen thousand dollars for in-state travel and sixty-seven hundred dollars for out-of-state travel in the budget that you are really laying out in the statutes or in the bill, are you satisfied that that is going to be sufficient to deal with the problems of an aggressive, upstarting agency, that obviously, is in the promotional business--to be able to carry out their responsibilities?"

Senator Shinpoch: "Well, to begin with, they are not going to have the people. That was in the testimony before the Ways and Means Committee. They intend to phase it in. They couldn't tell us how it was going to be phased in, but they certainly said it was going to be phased in.

"In developing the salaries, they made some arbitrary phasing in of people. You know, like four additional in the first quarter and two in each quarter, thereafter. If you don't have the people, then you obviously did not have the requirement for all of the travel. Then we took that and applied it to the travel and that leaves you about sixty percent of the travel that is there. That is a faster phasing in of the travel than it is of the phasing in of the personnel as far as the in-state and that is the question that you asked relative to in-state.

"That is, even though it is faster, it is somewhat an arbitrary cutting. We simply cut it at sixty percent. I would say, in addition to that, we will be back--and we may be back sooner--but certainly within seven months; we are going to be back here. They certainly are not going to have spent fifteen thousand dollars by that time if their travel budget, that they submitted to us, was correct."

Senator Hemstad: "If I could ask you one further question. You make the personnel subject to Chapter 41.06 RCW. I assume that is the Civil Service System, is it not?"

Senator Shinpoch: "I think they are subject to it now. I just wanted to make it clear."

Senator Hemstad: "And so you will require that an examination be given for these people and there will be no exemption of anyone within the system from the requirements of Civil Service?"

Senator Shinpoch: "Yes."

#### POINT OF INFORMATION

Senator McDermott: "A point of information. Are we talking about the amendment on page 6, line 10?"

#### REPLY BY THE PRESIDENT

President Cherberg: "The amendment under consideration is the one on page 6, line 10."

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

The motion by Senator Bottiger carried and the amendment was adopted.

#### MOTION

Senator Bottiger moved adoption of the following amendment:

On page 6, line 11, after "corporation." insert : "PROVIDED, That no more than \$578,400 of this appropriation shall be used for salaries for employees of the corporation all of whom shall be subject to the provisions of chapter 41.06 RCW; PROVIDED FURTHER, That no more than \$115,680 of this appropriation shall be used for employee benefits; PROVIDED FURTHER, That no more than \$332,800 of this appropriation shall be used for personal services contracts; PROVIDED FURTHER, That no more than \$873,000 of this appropriation shall be used for goods and services of which no more than \$500,000 shall be used for promotional activities; PROVIDED FURTHER, That no more than \$15,000 of this appropriation shall be used for in-state travel; PROVIDED FURTHER, That no more than \$6,700 of this appropriation shall be used for out-of-state travel; and PROVIDED FURTHER, That no more than \$102,000 of this appropriation shall be used for equipment."

Debate ensued.

#### POINT OF INQUIRY

Senator Metcalf: "I am still unclear on a particular point, Senator Shinpoch. This talks about one hundred fifteen thousand dollars for employee benefits and I assume that some of that is some sort of retirement system for those employees. I would like to know what kind of a retirement system they have. Specifically, where are we in the retirement business in this convention center?"

Senator Shinpoch: "My understanding is, in response to my questions, that these people are members of PERS. They are state employees in the Public Employees Retirement System. They are public employees and they are a member of PERS. Relative to the employee benefits, relative to the amount, when we were reducing the salaries and phasing in the personnel coming in, causing a reduction in the total, then we made a proportional reduction in the employee benefits--is how we arrived at that figure. Relative to your question, my understanding is that they are a member of the PERS system."

Further debate ensued.

Senator Rasmussen demanded a roll call and the demand was sustained.

#### MOTION

On motion of Senator Vognild, Senator Talmadge was excused.

The President declared the question before the Senate to be the roll call on adoption of the amendment by Senator Bottiger.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Bottiger failed and the amendment was not adopted by the following vote: Yeas, 19; nays, 23; absent, 6; excused, 1.

Voting yea: Senators Barr, Bottiger, Conner, Gaspard, Goltz, Granlund, Hansen, McCaslin, Metcalf, Moore, Owen, Peterson, Rasmussen, Shinpoch, Thompson, Vognild, Warke, Wojahn, Woody - 19.

Voting nay: Senators Bauer, Bender, Benitz, Bluechel, Clarke, Deccio, Fleming, Fuller, Guess, Haley, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, McDermott, McManus, Newhouse, Rinehart, von Reichbauer, Williams, Zimmerman - 23.

Absent: Senators Craswell, Lee, Patterson, Pullen, Quigg, Sellar - 6.

Excused: Senator Talmadge - 1.

#### MOTIONS

Senator Goltz moved adoption of the following amendment:

On page 4, line 2, after "090" and before the period, add : "PROVIDED, That no proceeds from the sale of bonds or earnings from the investment of the proceeds shall be used to fund (4) or (8) of this section"

Senator Bluechel moved adoption of the following amendment to the amendment:

On the last line of the amendment after "fund", strike "(4) or"

Debate ensued.

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

The motion by Senator Bluechel failed and the amendment to the amendment was not adopted.

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

The motion by Senator Goltz carried and the amendment was adopted.

MOTION

Senator Newhouse moved adoption of the following amendment:

On page 2, line 36, after "in", strike ~~((a single offering))~~ one or more offerings and insert "a single offering"

PARLIAMENTARY INQUIRY

Senator Bluechel: "Mr. President, a question of your ruling. When the original bond bill was passed, it was passed with a sixty percent majority to sell ninety-nine million dollars worth of bonds. Less than that sum was sold. What would be your ruling on this particular amendment here?"

REPLY BY THE PRESIDENT

President Cherberg: "The President believes that the bill in its present form would require a sixty percent favorable vote of the members elected."

PARLIAMENTARY INQUIRY

Senator Metcalf: "Would that ruling change if Senator Newhouse's amendment is adopted?"

REPLY BY THE PRESIDENT

President Cherberg: "The President believes that if Senator Newhouse's amendment were to be adopted, it would require a simple majority of the members elected.

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

The motion by Senator Newhouse carried and the amendment was adopted.

MOTION

On motion of Senator McDermott, the rules were suspended. Engrossed Substitute House Bill No. 605, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Vognild: "Senator McDermott, with the passing of amendments that were amended to the bill, section 9 appropriates money. Is there any money in that fund? Where is the money coming from now?"

Senator McDermott: "Senator Vognild, part of that is from the interest of the sale of the bonds. Some of the bonds have been sold and the interest is coming in. You also have the hotel/motel tax which is being gathered for the purpose of retiring the bonds."

Senator Vognild: "Senator, I guess that didn't quite answer my question. I believe that we passed an amendment that said that they could not utilize proceeds of the bond sales or the interest from those sales. With that money taken out, is there any money left in that fund?"

Senator McDermott: "They still have the hotel/motel tax as I said earlier. There is some money in that fund. Not as much as it says in this bill, but they won't be able to spend it because it won't be there, but there is some hotel/motel money there."

REMARKS BY SENATOR GOLTZ

Senator Goltz: "If I may further clarify an answer to Senator Vognild's question. It would be my impression that those staff functions, which are related to the sale of bonds which are related to the administration of the design and construction contract, all of those costs could be legitimately paid for out of the interest from the bond sales or from the bond sales themselves. So, the promotion and the operation of the center, since there is no center there, they need no money to operate the center. It cannot be used for promotion of the center and that has to come from the hotel/motel tax."



## POINT OF INQUIRY

Senator Haley: "Senator McDermott, the hotel/motel tax revenues, are they to be used strictly for the retirement of bonds or can the hotel/motel proceeds be used for other purposes such as operations or maintenance and so forth?"

Senator McDermott: "It is my belief, and I am not a bond attorney nor am I an attorney, basically, but I might get my jurisprudence degree after all of this, that the money that comes from the hotel/motel tax can be used, on the basis of the amendments that are left, for operation of the convention center. The money that we prohibited, under Senator Goltz's amendment, was any proceeds from the bonds--there are three sources for the money--the bonds, the interest and the hotel/motel tax. The hotel/motel tax is still available for that purpose."

## POINT OF INQUIRY

Senator Metcalf: "When I asked the question in caucus, I don't remember which expert answered it, but I was told that the employees of this corporation do not come under the state retirement system. Then on the floor, I was told that they do and I suspect--and I don't know which one is correct--but if we are adding more people on the state retirement system, I am very concerned about that."

Senator Shinpoch: "Mr. President, I was the one that answered Senator Metcalf's question that they were a member of PERS. I did that on the basis of what I understood the testimony was in the Ways and Means Committee from the representative from the convention center."

"After I answered your question, I went to the chairman of the Ways and Means Committee and asked him if I had remembered correctly that that was the testimony in the Ways and Means Committee. He assured me that the manner in which I answered it was what had been testified in front of the committee. He said he would have answered it, had I not."

## POINT OF INQUIRY

Senator Deccio: "Senator McDermott, in reading the statutes, it refers to a public corporation running the state trade and convention center. Does the term 'public corporation' mean that the members of the public corporation are state employees and, therefore, covered under the pension system?"

Senator McDermott: "Senator Deccio, my understanding is that we have created a public corporation and that the employees are under the pension system. There is some confusion about that which we are, obviously, going to clarify with an Attorney General's opinion before we are all done with this. My understanding is--they are, at this point, but I am willing to stand corrected if I am incorrect on this issue."

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 605, as amended by the Senate.

## ROLL CALL

The Secretary called the roll on final passage of Engrossed Substitute House Bill No. 605, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 29; nays, 12; absent, 7; excused, 1.

Voting yea: Senators Barr, Bender, Benitz, Bluechel, Clarke, Conner, Deccio, Fleming, Fuller, Goltz, Guess, Haley, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, McDermott, McManus, Moore, Newhouse, Peterson, Rinehart, von Reichbauer, Warnke, Williams, Woody, Zimmerman - 29.

Voting nay: Senators Bauer, Gaspard, Granlund, Hansen, McCaslin, Metcalf, Owen, Rasmussen, Shinpoch, Thompson, Vogwild, Wojahn - 12.

Absent: Senators Bottiger, Craswell, Lee, Patterson, Pullen, Quigg, Sellar - 7.

Excused: Senator Talmadge - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 605, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

May 25, 1983

I did not vote on House Bill No. 605 in the Ways and Means Committee or on final passage because of my belief that voting on portions of the bill would have been a conflict of interest.

Senator Phil Talmadge

## MOTION

At 7:14 p.m., on motion of Senator Bottiger, the Senate was declared to be at ease.

The President called the Senate to order at 8:11 p.m.

## MOTION

On motion of Senator Bottiger, the following interim committees were confirmed:

## EDUCATION COMMISSION OF THE STATE

1 Senator  
Senator Gaspard

## ENERGY ADVISORY COUNCIL

2 Senators  
Senators Williams and Haley

## ENERGY AND UTILITIES JOINT COMMITTEE

4 Senators  
Senators Williams, Bottiger, Benitz and Newhouse

## JOINT LEGISLATIVE ETHICS BOARD

4 Senators  
Senators Goltz, Thompson, Sellar and Benitz

## LEAP

4 Senators  
Senators Shinpoch, Wojahn, Jones and Craswell

## LBC

8 Senators  
Senators Fleming, McDermott, Gaspard, Shinpoch, Clarke, Haley, Quigg and Zimmerman

## MUNICIPAL RESEARCH COUNCIL

4 Senators  
Senators Bauer, Rasmussen, McCaslin and Zimmerman

## ORGANIZED CRIME ADVISORY BOARD

4 Senators  
Senators Thompson, Hughes, Clarke and Hayner

## SENTENCING GUIDELINES COMMISSION

2 Senators  
Senators Granlund and Hemstad

## LTC

11 Senators  
Senators Conner, Hansen, Peterson, Owen, Granlund, Bender, Guess, Patterson, Sellar, von Reichbauer and Fuller

## TRADE FAIRS ADVISORY COMMISSION

2 Senators  
Senators Hurley and Jones

## SENATE OVERSIGHT COMMITTEE ON FIRE PROTECTION

5 Senators

Senators Vognild, Thompson, Hansen, Sellar and Zimmerman

## LEGISLATIVE ADVISORY COMMITTEE ON STATE GOVERNMENT ORGANIZATION

8 Senators

Senator McManus, Rasmussen, Rinehart, Warnke, Barr, Zimmerman, McCaslin and Guess

## MOTION

On motion of Senator Shinpoch, the Senate returned to the fourth order of business.

## MESSAGES FROM THE HOUSE

May 25, 1983

Mr. President:

The Speaker has signed:

SENATE BILL NO. 3909, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 25, 1983

Mr. President:

The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 3290, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

May 25, 1983

Mr. President:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 29, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

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

## INTRODUCTION AND FIRST READING OF HOUSE BILL

HCR 29 by Representative Heck

Notifying the governor that the legislature is about to adjourn SINE DIE.

## MOTIONS

On motion of Senator Bottiger, the rules were suspended, House Concurrent Resolution No. 29 was advanced to second reading and read the second time.

On motion of Senator Bottiger, House Concurrent Resolution No. 29 was advanced to third reading, the second reading considered the third and the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE TO NOTIFY  
THE GOVERNOR OF ADJOURNMENT SINE DIE

Under the provisions of House Concurrent Resolution No. 29, the President appointed Senators Bluechel, Clarke, Newhouse and Woody from the Senate to join a like committee from the House to notify the Governor that the legislature is about to adjourn SINE DIE.

## MOTION

On motion of Senator Bottiger, the committee appointments were confirmed.

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

## MOTION

On motion of Senator Bottiger, the following resolution was adopted:

## SENATE RESOLUTION 1983-122

Senators Bottiger, Fleming, Hayner and Jones

BE IT RESOLVED, By the Senate, That a committee consisting of three members of the Senate be appointed to notify the House that the Legislature is about to adjourn SINE DIE.

APPOINTMENT OF SPECIAL COMMITTEE TO NOTIFY  
HOUSE OF ADJOURNMENT SINE DIE

Under the provisions of Senate Resolution 1983-122, the President appointed Senators Guess, Hemstad and Peterson to notify the House that the Senate is ready to adjourn SINE DIE.

## MOTIONS

On motion of Senator Bottiger, the committee appointments were confirmed.

On motion of Senator Bottiger, the Senate returned to the fourth order of business.

## MESSAGE FROM THE HOUSE

May 25, 1983

Mr. President:

The House concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 605, and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk

## MESSAGE FROM THE HOUSE

May 25, 1983

Mr. President:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 605, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE HOUSE BILL NO. 605.

## MOTION

On motion of Senator Bottiger, the Senate advanced to the eighth order of business.

## MOTION

On motion of Senator Bottiger, the following resolution was adopted:  
SENATE RESOLUTION 1983-116

By Senators Hayner, Jones, Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Haley, Hansen, Hemstad, Hughes, Hurley, Kiskaddon, Lee, McCaslin, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shipoch, Talmadge, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody and Zimmerman; Lieutenant Governor John A. Cherberg; Sid Snyder, Secretary of the Senate; Bill Gleason, Assistant Secretary of the Senate and Ole Scarpelli, Sergeant at Arms

WHEREAS, Bicycling is a popular recreational activity in the State of Washington, providing excellent exercise for those who partake in such two-wheel velocipedic activities even for a mature female biped; and

WHEREAS, Mrs. Dorothy Guess, wife of the Honorable Senator from the sixth district in "Spoke"ane County, Senator Samuel Cain Guess, has not only been a "wheel" in the legislative activities of the Senate for the past twenty years, but has been actively bicycling since 1963; and

WHEREAS, Mrs. Dorothy "Shugah" Guess in the last twenty "gears", ah - that should be years, has bicycled over 100,000 miles, has worn out 35 sets of tires, four bicycles, and has left Senator Guess over 75,000 miles behind; and

WHEREAS, She has been pedaling her bicycle around the state while her husband has been peddling "you alls" on the Senate floor; and

WHEREAS, A labrador somewhere in the state had an encounter with "Spokes" Guess, one the dog could not "Schwinn";

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That Mrs. "Dotty" Guess be congratulated for her bicycling "feet", for her "untiring" view from the gallery of many, many legislative sessions, and for being a vital and welcome "cog" of the Washington State Legislature; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted to Mrs. Dorothy Guess.

#### MOTION

On motion of Senator Bottiger, the Lieutenant Governor and all Senators, with the exception of Senator Guess, will be added as sponsors of Senate Resolution 1983-116.

There being no objection, the President returned the Senate to the fourth order of business.

#### MESSAGE FROM THE HOUSE

May 25, 1983

Mr. President:

The Speaker has signed:

HOUSE CONCURRENT RESOLUTION NO. 29, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

#### SIGNED BY THE PRESIDENT

The President signed:

HOUSE CONCURRENT RESOLUTION NO. 29.

#### COMMITTEE FROM THE HOUSE NOTIFYING THE SENATE OF ADJOURNMENT SINE DIE

The Sergeant at Arms announced the arrival of the committee from the House consisting of Representatives Nealey, Powers and Paul King. The committee appeared before the bar of the Senate to notify the Senate that the House was about to adjourn SINE DIE.

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

#### REPORT OF SPECIAL COMMITTEE APPOINTED NOTIFYING HOUSE OF ADJOURNMENT SINE DIE

The Sergeant at Arms announced the return of the special committee comprised of Senators Guess, Hemstad and Peterson who were appointed under the provisions of Senate Resolution 1983-122. The committee reported they had notified the House that the Senate was ready to adjourn SINE DIE.

The report was received and the committee was discharged.

#### REPORT OF SPECIAL COMMITTEE APPOINTED TO NOTIFY THE GOVERNOR OF ADJOURNMENT SINE DIE

The Sergeant at Arms announced the return of the special committee comprised of Senators Bluechel, Clarke, Newhouse and Woody who were appointed under the provisions of House Concurrent Resolution No. 29. The committee reported they joined with a like committee from the House and notified the Governor that the Legislature was about to adjourn SINE DIE.

The report was received and the committee was discharged.

#### MOTION

On motion of Senator Shinpoch, the Senate Journal of the First Day of the Second Special Session of the Forty-eighth Legislature was approved.

## MOTION

At 8:34 p.m., on motion of Senator Shimpoch, the 1983 Second Special Session of the Forty-eighth Legislature adjourned SINE DIE.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

# SENATE JOURNAL

— 1983 —

VOLUME 2

THIRD SPECIAL SESSION  
OF THE

FORTY-EIGHTH LEGISLATURE

# STATE OF WASHINGTON

AT

# OLYMPIA, the State Capitol

Convened September 10, 1983  
Adjourned Sine Die September 10, 1983

Compiled, Edited and Indexed by  
SID SNYDER, *Secretary of the Senate*



MARY WILEY  
*Minute and Journal Clerk*

---

JOHN A. CHERBERG, *President of the Senate*  
H. A. "BARNEY" GOLTZ, *President Pro Tempore*  
A. L. "SLIM" RASMUSSEN, *Vice President Pro Tempore*





**JOURNAL OF THE SENATE  
STATE OF WASHINGTON  
1983 3RD SPECIAL SESSION  
FORTY-EIGHTH LEGISLATURE**

**FIRST DAY**

---

**MORNING SESSION**

---

Senate Chamber, Olympia, Saturday, September 10, 1983

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Bluechel, Deccio, Guess, Hurley, Patterson, Pullen and Quigg.

The Sergeant at Arms Color Guard, consisting of Pages Nina Weld and Nyla Wood, presented the Colors. Reverend Ron Simms of the Mt. Zion Baptist Church in Seattle and aide to Senator George Fleming, offered the prayer.

**MESSAGE FROM THE SECRETARY OF STATE**

The Honorable  
President of the Senate  
The Legislature of the State of Washington, Olympia, Washington  
Mr. President:

We herewith respectfully transmit the attached proclamation of the Governor of the state of Washington convening a special session of the Legislature at 10:00 a.m. on Saturday, September 10, 1983.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the seal of the State of Washington at Olympia, this tenth day of September, 1983.

(Seal)

RALPH MUNRO, Secretary of State

**PROCLAMATION BY THE GOVERNOR**

It is desirable that the attached law be enacted providing for a special primary election for nominating candidates to be elected in the November, 1983, general election to fill the vacancy in the representation of this state in the Senate of the United States.

NOW THEREFORE, I, John Spellman, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the State Constitution, do hereby convene the Washington State Legislature in extraordinary (special) session in the Capitol at Olympia at 10:00 a.m. on September 10, 1983, for the express purpose of enacting the attached bill.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 9th of September, A.D. nineteen hundred and eighty-three.

(Seal)

By the Governor:  
Ralph Munro  
Secretary of State

JOHN SPELLMAN, Governor

**MOTION**

At 10:10 a.m., on motion of Senator Bottiger, the Senate was declared to be at ease.

The President called the Senate to order at 10:32 a.m.

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

#### INTRODUCTION AND FIRST READING

SB 4279 by Senator Talmadge

Providing for a special primary and general election for the United States Senate.

#### MOTIONS

On motion of Senator Shinpoch, the rules were suspended, Senate Bill No. 4279 was advanced to second reading and read the second time.

On motion of Senator Talmadge, all members will be added as sponsors of Senate Bill No. 4279.

On motion of Senator Talmadge, the rules were suspended, Senate Bill No. 4279 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

#### REMARKS BY SENATOR TALMADGE

Senator Talmadge: "Thank you, Mr. President and members of the Senate. We are here convened in special session this morning due to the untimely and tragic death of Senator Henry M. Jackson, a truly great American, whose memory, I think, will dominate in the 20th century in the United States. While Senator Jackson's memory is an important one to us, nevertheless we must proceed with the business at hand and attempt to provide a more orderly and rational process for the selection of the successor to Senator Jackson. While RCW 29.68 provides for such a selection process, one in which the Governor fills the position by appointment until the next ensuing general election, and the Governor has, in fact, filled that position by the selection of former Governor Dan Evans--now Senator Evans--there is a problem with respect to the question of whether or not a primary election is required.

"An Attorney General's opinion by Attorney General Eikenberry indicated that there was no need for a primary election in these circumstances and Governor Spellman followed that recommendation initially, and many of us disagreed with that recommendation and there was a lawsuit that was filed by the Democratic Party in the State Supreme Court. There was an amicus brief filed by the Republican Party. Dan Ritter, who is a very fine Seattle attorney, wrote that brief--the amicus brief--for the Republican Party, and the Supreme Court yesterday made its ruling on that issue and decided that a writ of mandamus need not be issued in this case to compel a primary election. The opinion of the Supreme Court indicated, however, and sometimes it takes reading between the lines in the somewhat cryptic orders of the Court to detect that they would prefer that the Legislature deal with the problem. They indicated that their opinion did not affect the ability of the Legislature to meet and deal with the emergency and that, in fact, is what is being done today.

"Many of us had requested that the Governor call a special session and the Governor has responded to that concern and has called this special session. The need for the bill, I believe, is an obvious one. This is not a partisan issue as is indicated by the sponsorship of the bill from both sides of the aisle. It's an issue simply of a rational and orderly method of selection of a United States Senator consistent with the best traditions of good government here in the state of Washington. Primaries were designed to winnow the field to give the people a chance at the general election to choose between a philosophy of the various parties and to select a candidate that they feel more comfortable with from their respective party.

"I would believe that in this circumstance it will be particularly disrespectful to the heritage and the memory of Senator Jackson not to hold a primary election. Senator Jackson was noted for the very large and overwhelming majority that he rolled up as a candidate for the United States Senate--most recently a 70% vote, and being selected by the people of the state of Washington in the 1982 election. Without a primary, conceivably, there could be a large number of candidates running for this position. A candidate could be selected and elected by the people of the state of Washington to the United States Senate with less than a majority.

Conceivably we could have a United States Senator with 25-30% of the vote--perhaps even less--representing the people of the state of Washington and that's inconsistent with the notion that Senator Jackson used to received a 70-80% majority in seeking this office and being elected by the people of our state.

"The bill that is before us today is the Governor's request bill. This is a bill that was worked out with the people in the Legislature, which was something that the Governor felt was appropriate and he has consulted, I believe, with Secretary of State Munro in talking about the specific provisions of the bill. The bill provides for a filing period from September 14-16. It provides that there is a withdrawal period that exists until September 19, and a primary election on October 11, to be followed by the November 8th general election that the Governor has already called.

"The problems that we may have with this bill are two-fold. The first is that there is no candidate's pamphlet for this particular election--provided for in this bill. In fact, that is waived. That candidate's pamphlet is distinct from the voters pamphlet, but the voters will get a voters pamphlet which relates to the issues of statewide interests on the ballot this fall. They will not get a candidate's pamphlet for this election because the timeframe is too short to provide for such for this particular primary election. The bill has another problem and that is the specification of the handling of costs. The Governor had indicated that he wanted no amendments to this bill, that this was the specific bill to be enacted by the Legislature.

"We believed that the need for a primary election was so important, so consistent with a tradition of our state, that we could agree to that because we needed this primary that badly. We still feel uncomfortable with the notion that the costs of this election are not specifically indicated in the bill. I think, perhaps, the counties and other people may need to look to the Governor's Emergency Fund in the course of time between now and the January session of the Legislature to deal with those problems. Clearly, this bill is needed to deal with a flaw that is in the electoral system with respect to this particular election. For the future, I think the Senate Judiciary Committee is going to be looking at a broader issue and that is the issue of succession to vacancies in statewide elected offices, whether it's the United States Senate or whether it is the Auditor or whether it is the Superintendent of Public Instruction--and the law there is not clear. I think we need to address that problem, the more long-term problem, when we have a more orderly and a longer period of time to deal with that problem.

"Nevertheless, I think this bill, despite its flaws--and it has a couple--is something we need to do. A primary election is consistent with the tradition of the people of our state. It's important to the people of our state. It's important to the people of our state from everything that people have been saying to us and I believe to the Governor, and I urge your overwhelming support of this bill."

#### REMARKS BY SENATOR HAYNER

Senator Hayner: "Mr. President and ladies and gentlemen of the Senate. I certainly agree with Senator Talmadge that there is a flaw in the law and that it is very clear that the Attorney General issued a reasoned and thoughtful opinion on the basis of the law that now exists. That was upheld by the Supreme Court in denying the request for another opinion. As a matter of fact, the only thing with which I can disagree, Senator Talmadge, is that the Supreme Court gave indication that we should actually take some action--what they actually said was--that the conclusion made is that no writ should issue to circumvent this case--should not be interpreted to preclude any emergency action. So, indeed, we have decided to take some emergency action on the basis of the fact that we certainly do not want to run counter to what the people of this state think that they should have and many of them feel very strongly about the need for a primary. Many did not.

"I think the results, whether we have a primary or whether we do not have a primary will be the same. But many of us are going to support this bill because we do think it takes care of this situation today and we will work with you in every way possible to take care of the problem in the future. The law must be changed to take care of this issue."

## POINT OF INQUIRY

Senator Clarke: "Senator Talmadge, I'm asking this question merely for clarification of legislative intent and from your opening remarks I am quite certain what your answer would be. You stated that in recognition of the fact that the Governor has already made an appointment, this bill, of course, makes no reference whatsoever to the right of the Governor to appoint to cover the period until the general election is held. What I am asking you is a clarification that it is not the intent of this Legislature, by the enactment of this bill, to change in any way the act of the Governor in having made the appointment, or the fact that the appointee has the right to serve up until the time of this general election, as provided for in this bill."

Senator Talmadge: "No, I think, Senator Clarke, in additional response to your question, the bill provides that nothing in the bill should be inconsistent except as specifically stated in the bill, with the Governor's issuance of the writ of election for November 8. I think, although it does not state so specifically in the bill, that the intent was not to impact on the Governor's ability to select or to alter the statute that requires the Governor to make that selection to fill the vacancy."

## POINT OF INQUIRY

Senator Thompson: "Senator McDermott, as chairman of the Senate Local Government Committee, I feel responsible to be watchful over the concerns of local governments. The question has been raised with regard to the cost of this election and we have a letter on our desks in regard to it and I think it is appropriate to have a response from the Chairman of the Ways and Means Committee."

Senator McDermott: "Senator Thompson, there have been questions raised about the cost of the election. RCW 29.13.047 provides 'whenever state officials are voted upon in a state primary or general election held in an odd numbered year, the state of Washington shall assume its pro rata share of such election costs.' I believe this provision makes the state responsible for the costs incurred as a result of SB 4279. An amendment might have clarified this, but I believe the Secretary of State and the Governor--particularly with his Emergency Fund--will have sufficient funds to cover the cost of this election."

## LETTER FROM SECRETARY OF STATE

Honorable George Sellar  
State Senator  
Legislative Building  
Olympia, Washington 98504

Dear George:

In response to your question about the procedures for reimbursing counties for the costs of the special primary to nominate candidates for the U.S. Senate, we understand that:

1) The counties will temporarily assume the costs of this special primary on October 11, 1983;

2) County auditors will submit their costs for the special primary to the Secretary of State using the same procedures which already apply to state primary and general elections under RCW 29.13.047;

3) The Secretary of State will assemble these reimbursement claims and submit a bill to provide for the payment of these costs and a supplemental appropriation request to the 1984 regular session of the Legislature.

We understand that the Governor indicated, when he called the special session, that all of the costs of the special primary would be reimbursed out of the state general fund and I fully support this position.

Sincerely,  
RALPH MUNRO

## REMARKS BY SENATOR SELLAR

Senator Sellar: "We too share that concern with Senator Thompson about local government bearing these costs. In the letter that I have distributed on your desks, there is a mechanism in place and I think we can assure the county auditors that the state does intend to, in fact, pick up those costs."

## REMARKS BY SENATOR McDERMOTT

Senator McDermott: "Mr. President, I would just like to make a couple of comments. I am sure a lot of people will take credit for having solved the problem. We are going to all run out and put the press releases out, but I think there is one group that needs to have some recognition of this. When this process started, it was unclear whether we would have a primary, and the only reason we are having a primary is because this country has a free press. Thomas Jefferson extolled the free press and I think if he lived today he would probably talk about the free media and impact of the press and the media on this process which was clearly the deciding factor. The initial hesitancy to have this primary was overcome. I think it started--at least as far as I know, with John Miller of KIRO and it went through every TV station and every newspaper in the state, and the importance of a free press and its ability to affect what goes on here, I think, should not be missed by the people of the state. Sometimes we lose sight of the importance of it and we should not at a time like this."

## REMARKS BY SENATOR HEMSTAD

Senator Hemstad: "I just wanted to respond briefly, both to that comment and to Senator Talmadge's opening comment. At least Senator Talmadge suggested that many people disagreed with the Attorney General's position. I think from what happened, of course, the Attorney General's Office went through the process of determining what the law requires, and in the carrying out of his responsibility that doesn't suggest what he would have desired the law to have been. In terms the Supreme Court picked it up by an eight to one vote--would seem to have agreed with the interpretation that the Attorney General put on the matter. Things have been happening so rapidly in the short period of time that we've had to deal with this question. Of course, there was some hesitation on how to proceed following the death of Senator Jackson, but we are here now and we are correcting what I think everyone clearly agrees is a deficiency in this particular statute. It has the agreement of this body, of the Attorney General--I am sure--of the Governor, of Senator Evans, and I assume, probably, the near unanimous support of this body. So there really isn't any real debate about what people desire. There was the initial problem of what the law said."

## MOTIONS

On motion of Senator Vognild, Senator Hurley was excused.

On motion of Senator Sellar, Senators Deccio, Patterson and Bluechel were excused.

On motion of Senator Zimmerman, Senator Guess, Pullen and Quigg were excused.

## REMARKS BY SENATOR BOTTIGER

Senator Bottiger: "An allusion has been made to the fact that there were no amendments offered and I would like to very clearly state for the record that the question of the appropriation and the question of the wisdom of the 4th versus the 11th as the primary date had been discussed informally and formally with the Governor and others. There is an argument to be made for either date and the Governor took the responsibility of selecting the date and advising Speaker Ehlers and I that there would be no amendments. If any amendments were offered, the bill would be vetoed. In doing that, I told him in that meeting in which Senator Hayner and Representative Nelson were there, he then takes the responsibility for any flaws or glitches that occur. We made a very unusual agreement that we would not support any amendments to the bill and in doing so the Secretary of State and the Governor have made the decision that that date is the best date. As I told John--'John, I am going to say on the floor, and I will say to the press, you then assume the responsibility for anything that glitches up.'

"Now, we've heard arguments that the 4th would be a better date. We've heard arguments that that gives too much time then for the general as opposed to the primary, but be as it may, the date of the 11th can be argued--the date of the 4th can be argued and the Governor has selected the 11th and said 'no amendments,' and I agreed to that."

The President declared the question before the Senate to be the roll call on final passage of Senate Bill No. 4279.

#### ROLL CALL

The Secretary called the roll on final passage of Senate Bill No. 4279 and the bill passed the Senate by the following vote: Yeas, 40; nays, 1; excused, 7.

Voting yea: Senators Barr, Bauer, Bender, Benitz, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Goltz, Granlund, Haley, Hansen, Hayner, Hemstad, Hughes, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Peterson, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, Vogndild, von Reichbauer, Warnke, Williams, Wojahn, Woody, Zimmerman - 40.

Voting nay: Senator McCaslin - 1.

Excused: Senators Bluechel, Deccio, Guess, Hurley, Patterson, Pullen, Quigg - 7.

SENATE BILL NO. 4279, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Shinpoch, the Senate advanced to the eighth order of business.

#### MOTION

On motion of Senator Bottiger, the following resolution was adopted:

#### SENATE RESOLUTION 1983-123

By Senators Bottiger and Fleming

WHEREAS, Senator Henry M. Jackson was a great statesman whose efforts were recognized not only in Washington state, but throughout the United States and in foreign nations; and

WHEREAS, Senator Jackson, known to friends, colleagues, and the world as "Scoop," rose from prosecuting attorney of Snohomish County to a powerful Senator and presidential candidate through his ability to relate to people from all walks of life, regardless of party affiliation; and

WHEREAS, Throughout his career, Scoop's politics evidenced his compassion for people and love for Washington state and the United States, resulting in his being strongly concerned with domestic issues, an advocate of a strong national defense, and a defender of global freedoms; and

WHEREAS, Senator Jackson, instrumental in creating the Environmental Protection Agency, chaired the Senate Energy and Natural Resources Committee for many years, remaining a powerful member of that committee until his death, and was the ranking Democrat on the Armed Services Committee; and

WHEREAS, Senator Jackson's position and seniority in the United States Senate assisted Washington's economic development and the protection of its natural resources; and

WHEREAS, The passing of this state's favorite son who earned his nickname while a schoolboy delivering newspapers in Everett will leave a void in this state;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That Washington state acknowledges its great debt to its great statesman, the late Senator Henry M. "Scoop" Jackson, and offers condolences to the Jackson family; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted to the late Senator's family.

#### MOTION

On motion of Senator Shinpoch, all members and the Lieutenant Governor will be added as sponsors of Senate Resolution 1983-123.

#### REMARKS BY SENATOR BOTTIGER

Senator Bottiger: "Mr. President and members of the Senate, I am sure that everyone of us here could relate a story about a contact, a project, or a social event which they shared with Senator Jackson. I had the distinction and honor to be chairman of the state Senate Committee on Energy at the same time that Senator Jackson was serving on the national Energy Committee and I would like to

relate to you a little story about a joint effort that we made working with alternate energy, fuel, conservation and other projects. Jackson was sometimes thought of as not having a breadth in the different alternatives that he was proposing and I have found that to be vastly untrue.

"We worked together sharing research materials and sharing information on the alternate forces--solar energy, wind energy--and there was always something about Jackson--Al Swift said 'don't you agree?' I found that so apropos and so reminding of the discussions we had on looking at these alternate energy sources, that when Al Swift mentioned that at the memorial services, I recalled as we talked about 'don't you agree that it would be an alternate source and that energy interdependence for this country is a goal that we should all share.'

"We are going to miss Jackson, at least I will, and I am sure that the whole state will and his ability to look ahead--not just at the immediate issue but something a long way down the line. That's why he was so successful and that's why we will miss him so much."

#### REMARKS BY SENATOR VOGNILD

Senator Vognild: "Thank you, Mr. President. I had the pleasure of serving as a senator from the home base, if you will, of Senator Jackson, which means that I probably saw him a little bit more informally than a number of members on this floor might have. I think, as Senator Bottiger said, we could probably all stand up here and say kind and true words about Senator Jackson, but one comment he made, that I recall, I would like to relay to this body. After an unsuccessful bid for the Presidency of the United States, he came back to the city of Everett and Snohomish County. At an informal--just sitting around talking type of thing--he made a comment that kind of stuck with me and he said one thing that he treasured was that he could always return to his home county, in good times and bad times and be in a friendly atmosphere. Good times and bad times is what he used. I think the forty-one years that he served the state of Washington were the good times. The day that he passed away created a dark and bad time--one that we will feel for years ahead. That man, perhaps, had the distinction of being one of an extremely few, if not the only person, to serve in public life for forty-one years and never once have a cloud over his reputation.

"I am extremely proud of this Legislature today in passing the bill that we passed, because I believe that that totally and forever leaves Jackson's name as a name with not the slightest cloud over it. Without the bill, I fear that there would have always been a question--not reflected on him but reflected upon his term and the way it ended. This way it ends clean and as Senator Bottiger said, we will all miss him in many ways. The state of Washington will miss him tremendously for his influence and his devotion to this state."

#### REMARKS BY SENATOR SELLAR

Senator Sellar: "Thank you, Mr. President. We, too, would like to join in that, because the man was truly a great American. He received every constituent that he had--regardless of what party they were in--what race they were--warmly and whole-heartedly. I had an occasion to call on him and I was almost amazed at his grasp of things. We join with you in mourning his passing and join with you in saying that the state of Washington and indeed America has lost a great friend."

#### MOMENT OF SILENT PRAYER

President Cherberg asked the members of the Senate to stand for a moment of silent prayer in memory of Senator Henry M. Jackson.

#### MOTION

At 11:03 a.m., on motion of Senator Bottiger, the Senate was declared to be at ease.

The President called the Senate to order at 11:21 a.m.

#### PERSONAL PRIVILEGE

Senator Benitz: "Mr. President and members of the Senate, I recognize that this is not the correct time to bring up any other issue. Agreements have been made and I really do not intend to--but soon, very soon, there will be a report out on a

possible solution of the WPPSS problem, and I believe that the Governor, at that time, will call a special session, as he has promised to do. My point is that I hope that all of us, the majority and minority parties, return to Olympia with the same degree of enthusiasm that is shown here in this session today to help solve that problem. It is huge. It is one which the state of Washington must solve and I think we should be reminded of it."

There being no objection, the President reverted the Senate to the fourth order of business.

## MESSAGE FROM THE HOUSE

September 10, 1983

Mr. President:

The House has passed:

SENATE BILL NO. 4279, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 4279.

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

## INTRODUCTION AND FIRST READING

SCR 136 by Senators Bottiger, Fleming, Hayner and Sellar

Adjourn Third Special Session SINE DIE.

## MOTIONS

On motion of Senator Shinpoch, the rules were suspended, Senate Concurrent Resolution No. 136 was advanced to second reading and read the second time.

On motion of Senator Shinpoch, the rules were suspended, Senate Concurrent Resolution No. 136 was advanced to third reading, the second reading considered the third and the resolution was adopted.

There being no objection, the President returned the Senate to the fourth order of business.

## MESSAGE FROM THE HOUSE

September 10, 1983

Mr. President:

The Speaker has signed:

SENATE BILL NO. 4279, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## MESSAGE FROM THE HOUSE

September 10, 1983

Mr. President:

The House has adopted:

SENATE CONCURRENT RESOLUTION NO. 136, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

## SIGNED BY THE PRESIDENT

The President signed:

SENATE CONCURRENT RESOLUTION NO. 136.

There being no objection, the President reverted the Senate to the third order of business.

## MESSAGE FROM THE GOVERNOR

September 10, 1983

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:



I have the honor to advise you that on September 10, 1983, Governor Spellman approved the following Senate Bill entitled:

Senate Bill No. 4279

Relating to a special primary election and general election for the United States Senate.

Sincerely,  
ROLLIE SCHMITTEN,  
Deputy Chief of Staff, Legislative Affairs

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

MESSAGE FROM THE HOUSE

September 10, 1983

Mr. President:  
The Speaker has signed:  
SENATE CONCURRENT RESOLUTION NO. 136, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk

PARLIAMENTARY INQUIRY

Senator Clarke: "A matter of parliamentary inquiry, would this be the shortest special session in the history of the state?"

REPLY BY THE PRESIDENT

President Cherberg: "The Secretary advises that your analysis is correct, Senator Clarke."

REMARKS BY THE PRESIDENT

President Cherberg: "Honored members of the Senate, during this short interlude the President would like very much to commend the members of the Senate for their highly professional, efficient and sincere manner in which you have conducted this session of the Legislature."

MOTION

On motion of Senator Bottiger, the Senate Journal for the First Day of the Third Special Session of the Forty-eighth Legislature was approved.

MOTION

At 11:47 a.m., on motion of Senator Rasmussen, the 1983 Third Special Session of the Forty-eighth Legislature adjourned SINE DIE.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.



**GOVERNOR'S MESSAGES ON SENATE BILLS  
VETOED AND PARTIALLY VETOED****1983 REGULAR SESSION  
FIRST, SECOND AND THIRD SPECIAL SESSIONS**

May 17, 1983

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

I am returning herewith without my approval Substitute Senate Bill No. 3042, entitled:

"AN ACT Relating to labor relations in institutions of higher education."

The bill would establish collective bargaining in higher education.

I am not persuaded that the long traditions of special faculty-management relationships in our institutions of higher learning should be abandoned in this time of stress.

Although peer group evaluation, tenure, academic freedom, and involvement of faculty in governance have added a distinct style to our higher education institutions, a significant number of members of our faculties believe that those long-standing operational forms do not meet their current needs. I have carefully read letters from faculty members. There are two prevailing themes. First, that faculty remuneration for several years has suffered. That is true. The answer to that situation, which I addressed in my budget proposal, is a matter for final legislative determination. Second, faculty perceive that they have little influence in shaping an institution's directions, particularly during the recent period of forced program cutbacks due to the state's severe financial condition. Whether true or not, that perception needs to be heeded by regents, trustees, and administrators. All parties need to reexamine how decisions have been, and should be, made.

I do not see within the framework of SSB 3042 mutual cooperation in the development of procedures that are necessary to preserve the special nature of our higher education institutes. Rather, what confronts me is a standard industrial bargaining model that does not address, nor provide for, the critical elements inherent in a vital higher education system. It does not address students' needs or interests. It does not prohibit strikes; in fact, it acknowledges their possibility in section 19(3). It injects a new adversarial relationship into a system which has been damaged by inadequate funding but is beginning the process of rebuilding.

This appears to be an inappropriate time to abandon a long proven system for the uncertainties inherent in this bill. Therefore, I have vetoed Substitute Senate Bill No. 3042.

Respectfully submitted,  
John Spellman  
Governor

May 11, 1983

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

I am returning herewith, without my approval as to section 4, Second Substitute Senate Bill No. 3085, entitled:

"AN ACT Relating to unemployment compensation."

This bill provides for a one-year extension of the unemployment insurance additional benefits program, to be implemented only when the corresponding Federal program ends. If and when these benefits are paid, and if the unemployment fund thereby goes into deficit status, sections 4 and 5 provide for ways to finance the deficit. At a given dollar deficit, section 4 could mandate a surcharge in the rate at which employers pay into the fund as well as increase the base (to 80 percent of the average annual wage) on which the rate is paid. Potentially, this could amount to a very substantial increase in employer contributions. There is no mechanism for removing or reducing the surcharge or base once the deficit is made up. In light of the fact that section 5 provides for an alternative way to

finance the deficit, by establishing (through employer contributions) a Federal interest payment fund that would pay for the interest on funds borrowed from the Federal government, the potentially onerous impact of section 4 is unwarranted. For that reason I have vetoed section 4.

With the exception of section 4, which is vetoed, Second Substitute Senate Bill No. 3085 is approved.

Respectfully submitted,  
John Spellman  
Governor

May 20, 1983

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

I am returning herewith, without my approval as to sections 3 and 5, Senate Bill No. 3090, entitled:

"AN ACT Relating to budgeting and accounting."

Section 3 requires that budget information submitted by the Governor cannot exceed the detail of the required budget developed under existing estimated revenues. That language, interpreted literally, would limit the Governor's ability to provide for legislative consideration various alternative budget and revenue proposal details. Statutory budget preparation requirements should be carefully considered in order to avoid conflicts with other provisions of chapter 43.88 RCW, the Budget and Accounting Act.

Section 5, an emergency clause, inadvertently included a specific effective date of July 1, 1983, for section 2. That effective date was intended for the repealer referenced in section 4.

With the exception of sections 3 and 5, which I have vetoed, Senate Bill No. 3090 is approved.

Respectfully submitted,  
John Spellman  
Governor

March 18, 1983

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

I am returning herewith, without my approval as to sections 7, 14, 24, 31, and 32(2), Second Substitute Senate Bill No. 3100, entitled:

"AN ACT relating to state agencies."

I have vetoed section 7, which amends the appropriation "FOR THE GOVERNOR-SPECIAL APPROPRIATIONS." This section would reduce to an unacceptable level the funds available to my office to address emergencies that may occur during the period of time between adjournment of the legislature and the end of the biennium. As long as the legislature is in session, it should appropriate directly from the General Fund for the special problems it wishes to address, rather than deplete the limited emergency funds available. Otherwise, unforeseen demands on the emergency fund could require a special session of the legislature.

I have vetoed section 14, which contains a provision that: "the department of agriculture shall not expend any state general fund moneys for the aerial spraying of hard chemicals over cities with a population over 140,000 persons located in a county with a population over 450,000 persons." This language, which contains some imprecise terms, would unduly restrict the department's ability to address its statutory responsibilities to protect the general population from plant pests and diseases. The issue of aerial spraying of hard chemicals should be debated in the normal course of the legislative process, where public testimony and expert witnesses can contribute to the development of legislation on eradicating pests. This provision has not experienced that process.

I have vetoed section 24. The intent of this section is to reduce the state tourism budget by \$485,000 at a time when the state is in the midst of a phased promotional campaign designed to attract tourists for the coming summer. It is essential to continue the program that has been developed over the past several months in order

to enhance the tourism sector of our state's economy. The continuation of those efforts is critical to the creation of employment opportunities and to the development of a positive atmosphere for investment in the tourist industry.

I have vetoed section 31, which requires the reduction of salaries through the end of this biennium for those state employees earning \$40,000 per year or more. By far the largest group of employees affected by this section are the senior faculty members of our institutions of higher education. Medical and dental professionals would also be affected. We are already experiencing difficulties retaining and recruiting employees in those critical areas. To reduce salaries in this manner would only exacerbate this problem. Moreover, the effect on key management people cannot be overlooked. Those on whom we depend to provide leadership to state government in these difficult economic times should not be further penalized by having their salaries reduced. I might note that elected officials with salaries set by statute would not have been affected by this section, because those salary levels cannot be changed except by changing the specific statutes associated with such positions. Finally, those state employees whose salaries are set by contract would have a strong legal case for challenging the reductions as applied to them; a successful suit would undercut the goal of saving money and would result in inequitable application of the reductions.

I have vetoed section 32(2), which provides, in effect, for the supplemental appropriations for the legislature to continue after the end of the current biennium. The legislature, like any other state entity, should have its appropriation for the ensuing biennium established by the omnibus appropriation act for that biennium and should not expect to carry forward a cushion of unexpended funds intended for the prior time period. If, during the next biennium, events establish the need for supplemental funding, the legislature can provide the necessary appropriation.

I have not vetoed section 30, which directs me to impose a hiring freeze and order further expenditure reductions, because I agree with its purpose. On December 13, 1982, I issued Executive Order 82-24, which contains provisions very similar to the language of section 30. I want to state, however, that as a general rule, directives of this sort from the legislature to the Governor are inappropriate.

With the exceptions of the aforementioned provisions, which I have vetoed, Second Substitute Senate Bill No. 3100 is approved.

Respectfully submitted,  
John Spellman  
Governor

May 11, 1983

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

I am returning herewith, without my approval as to section 3, Engrossed Senate Bill No. 3106, entitled:

"AN ACT Relating to driving while intoxicated."

This bill establishes the crimes of vehicular homicide and vehicular assault and provides for penalties for those crimes.

It is necessary to veto section 3 of ESB 3106 in order to avoid a double amendment to RCW 46.20.285, which was also amended in a more complete manner in section 15 of Engrossed Substitute House Bill No. 289, a bill that I will sign today.

With the exception of section 3, which I have vetoed, Engrossed Senate Bill No. 3106 is approved.

Respectfully submitted,  
John Spellman  
Governor

April 25, 1983

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

I am returning herewith, without my approval as to section 11, Senate Bill No. 3182, entitled:

"AN ACT relating to financial institutions."

Section 11 of this bill would repeal the banking examination fund and the savings and loan and credit unions examination fund. The monies in those funds, paid by fees from financial institutions, provide the entire operating budget for the Divisions of Banking and of Savings and Loans, Department of General Administration. The funds are essential to the Department's effective regulation of our financial institutions. Because this bill has an emergency clause, those funds would immediately cease to exist, and the Department would have no money to implement this bill or to perform any other related regulatory function. For these reasons, I have vetoed section 11.

With the exception of section 11, which I have vetoed, Senate Bill No. 3182 is approved.

Respectfully submitted,  
John Spellman  
Governor

February 22, 1983

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

I am returning herewith without my approval as to Sections 1, 2, 4, 5, 28, 29, 30, and 31, Senate Bill 3258, entitled:

"AN ACT relating to revenue and taxation."

My primary emphasis in examining this bill has been to review its likely impacts on jobs, economic development, and the future of our state. On analysis, parts of this bill, if enacted, would result in the loss of existing jobs and in disincentives to the creation of desperately needed new jobs.

Taken together, Sections 1, 2, 4, and 5 would permanently increase the business and occupation (B&O) tax on services by 100 percent, would permanently increase the B&O tax on most retailers by 7 percent, and would permanently increase the B&O tax on non-retailers and on some retailers by 32 percent. Such increases in B&O taxes at a time when the economy is slow can only be justified by a compelling state need. In my opinion, there is such a compelling need during the remainder of this biennium. Because we have so little time to make up a shortfall in what is already a lean revenue year, taxes for the remainder of this biennium necessarily must be steep. For that reason, I am requesting the legislature to reenact the same tax increases, but on a temporary basis only, so that they expire on June 30, 1983.

But the case has not been made that such increases are justified on a permanent basis. Indeed, the more compelling case is that these permanent tax increases would discourage efforts both to create new jobs during this period of profound unemployment and to recover from the hardest economic times in half a century. They were adopted with little of the thoroughness that usually accompanies the process of establishing biennial revenues. The biennial budget, which ordinarily provides the justification for needed revenues, is only in the early stages of legislative review. In my opinion, any new B&O taxes to be collected in the next biennium must be justified both by being part of an equitable tax package and by a demonstrated need for the overall revenues that the package is expected to produce. I have not been provided with such justifications.

In a similar vein, there needs to be more review of the aircraft excise tax newly imposed by sections 28 through 31 of the bill. A tax of one percent of the value of an airplane, paid each year, is a marked increase compared with the engine tax now imposed. It should not be adopted without a review both of the impact that it would have on businesses that use airplanes and of the possibility that airplane owners would, as a result, register their planes elsewhere.

I have repeatedly stated the perils of trying to pass a single tax package that appropriately meets the revenue needs for both this and the next biennium. This bill is testament to those perils. I urge the legislature to divide the tasks and pass immediately those increases necessary to meet the needs for this biennium. Then we can address the remaining taxes and the budget that are appropriate for the next biennium.

For these reasons I have vetoed sections 1, 2, 4, 5, 28, 29, 30, and 31.

Respectfully submitted,

John Spellman  
Governor

May 16, 1983

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

I am returning herewith, without my approval as to section 12, Substitute Senate Bill No. 3433, entitled:

"AN ACT Relating to higher education institutions."

Substitute Senate Bill No. 3433 establishes the Higher Education Facilities Authority to assist the state's independent colleges and universities in the issuance of tax exempt revenue bonds. These bonds, and the expenses of the Authority, are funded by private sources. No public funds are involved.

Section 12 of the bill would require the Authority to adopt rules to ensure the "prevailing rate of wage" for construction projects, as prescribed by RCW 39.12.010. Chapter 39.12 RCW pertains to public works projects paid from public funds. The authority of Substitute Senate Bill No. 3433 pertains to private construction projects funded from non-public sources. Therefore chapter 39.12 RCW does not, and should not, apply.

With the exception of section 12, which I have vetoed, Substitute Senate Bill No. 3433 is approved.

Respectfully submitted,

John Spellman  
Governor

May 12, 1983

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

I am returning herewith, without my approval as to one section, Substitute Senate Bill No. 3538, entitled:

"AN ACT Relating to the traffic safety commission."

Section 2 of this bill calls for Senate confirmation of the Chairman of the Commission. Senate confirmation of gubernatorial appointees should not be routinely required but should be reserved for major agencies and members of major boards and commissions. It has become obvious that the great number of Senate confirmations now required by law presents an administrative difficulty for both the Senate and the executive branch. More prudent use of Senate confirmation is desirable. Insofar as the Director of the Washington Traffic Safety Commission answers to, and carries out the orders of, the Commission itself, there is sufficient accountability for the Director's performance. For these reasons I have vetoed section 2.

With the exception of section 2, which is vetoed, substitute Senate Bill No. 3538 is approved.

Respectfully submitted,

John Spellman  
Governor

May 17, 1983

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

I am returning herewith, without my approval as to section 1(2)(e), Senate Bill No. 3857, entitled:

"AN ACT Relating to emission control inspections for used cars."

Section 1(2)(e) is identical to section 3 of Substitute Senate Bill No. 3497, which I have signed into law. In addition, there is some question as to whether that provision in this bill is beyond the scope of its title. With the exception of section 1(2)(e), which is vetoed, Senate Bill No. 3857 is approved.

Respectfully submitted,  
John Spellman  
Governor

June 15, 1983

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

I am returning herewith, without my approval as to subsections 44(7), 49(3), and 53(1) of Senate Bill 3909 entitled:

"AN ACT Relating to revenue and taxation."

Subsection 44(7) amends the existing law that defines certain exemptions to the boat tax. Existing law appropriately exempts all vessels under 16 feet in length. This subsection would exempt only those boats under 16 feet in length that have no motors, but tax those boats within that length limitation that have motors. In order to provide for equity and ease of administration, I have vetoed subsection 44(7). The result of my action is a simple exemption for all boats under 16 feet in length.

Subsection 49(3) provides that any local option boat tax shall be payable to the Department of Licensing. A program of state collection and distribution of a nonuniform local option tax is fraught with administrative problems for both state and local governments. I have vetoed this subsection so that the collection of any local option boat tax becomes the responsibility of local government.

Subsection 53(1) requires that one-half on any boat tax paid under existing law (SB 3258; now Chapter 7, Laws of 1983) be applied as a credit against the taxes now due under this measure. The existing law, by its own terms, will not become effective until June 30, 1983. This measure negates the tax specified by that law. Because some boat owners have already tendered payment for that tax, which will not now come into effect, they should receive a refund of their entire payment, rather than just a credit for one-half of that payment. The Departments of Revenue and Licensing can make the necessary refunds pursuant to RCW 43.01.072.

With the exceptions noted above, Senate Bill 3909 is approved.

Respectfully submitted,  
John Spellman  
Governor

April 23, 1983

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

I am returning herewith without my approval Engrossed Senate Bill No. 3991, entitled:

"AN ACT Relating to tolls on the Hood Canal bridge."

This bill would set statutory tolls for crossing the Hood Canal bridge. This function is more appropriately performed by the Transportation Commission, which has such authority and has in fact just lowered the tolls for the bridge to amounts identical to those contained in this bill. This bill is thus both unwise and unnecessary, and so I have vetoed it.

Respectfully submitted,  
John Spellman  
Governor

April 22, 1983

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

I am returning herewith, without my approval as to one section, Substitute Senate Bill No. 4034, entitled:



"AN ACT Relating to motor vehicle and special fuels" and adding a new section to chapter 9.04 RCW; prescribing penalties; and declaring an emergency.

This worthy bill will protect gasoline consumers by prohibiting deceptive advertising of gasoline prices. Section 2, however, which would make the bill effective immediately, could cause affected gasoline dealers to be in violation of the law without knowing it. In order to give those people fair warning of the new provisions in this bill, I have vetoed section 2.

With the exception of section 2, which I have vetoed, Substitute Senate Bill No. 4034 is approved.

Respectfully submitted,  
John Spellman  
Governor

June 14, 1983

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

I am returning herewith, without my approval, Substitute Senate Bill No. 4059, entitled:

"AN ACT Relating to the central stores revolving fund."

This bill would impose excessive, unnecessary, and expensive controls over the Central Stores Revolving Fund. I believe that existing procedures for administration of this fund are adequate.

In addition, the funding limitations contained in the bill would reduce the capacity of the state to handle telecommunications purchases. I believe the state will need more, not less, telecommunications expertise, particularly in view of recent court decisions affecting the telephone industry.

For these reasons, I have vetoed Substitute Senate Bill No. 4059.

Respectfully submitted,  
John Spellman  
Governor

May 16, 1983

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

I am returning herewith without my approval Substitute Senate Bill No. 4092, entitled:

"AN ACT Relating to insurance reporting."

This bill would establish a legislative committee to study various aspects of insurance laws. My sole objection to the bill is that it unnecessarily creates such an entity in statute. As this is entirely a legislative committee, the legislature has its own internal authority to study such matters, without need of a statute. I have therefore vetoed substitute Senate Bill No. 4092.

Respectfully submitted,  
John Spellman  
Governor

May 17, 1983

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

I am returning herewith, without my approval as to portions of sections 2 and 5, Senate Bill No. 4204, entitled:

"AN ACT Relating to the state board of health."

The proviso in Section 2 (11) could be interpreted as a prohibition against the creation of new health care facilities with annual operating budgets over \$500,000, regardless of the need for such facilities as determined by the certificates-of-need program. Such a prohibition would ignore the purpose of the certificate-of-need program.

Section 5 would require the Board of Health to perform the current functions of the State Health Coordinating Council. If the State Health Coordinating Council's

functions are assumed by the Board of Health, Federal regulations will be violated, and Federal funds may be jeopardized. The Federal government requires that Council functions be performed by a body having majority representation of consumers, which the Board would not have.

With the exceptions noted above, which I have vetoed, Senate Bill No. 4204 is approved.

Respectfully submitted,  
John Spellman  
Governor

**GOVERNOR'S MESSAGE ON SENATE BILLS  
RECEIVED AFTER ADJOURNMENT**

1983 REGULAR SESSION

Office of the Governor

TO THE HONORABLE, THE SENATE  
OF THE STATE OF WASHINGTON  
Ladies and Gentlemen:

I have the honor to advise you that on April 23, 1983, Governor Spellman approved the following Senate Bills entitled:

Senate Bill No. 3018

Relating to the division of land.

Substitute Senate Bill No. 3043

Relating to state institutions.

Substitute Senate Bill No. 3052

Relating to elevators, lifting devices and moving walks.

Substitute Senate Bill No. 3094

Relating to street improvements.

Senate Bill No. 3140

Relating to code cities.

Substitute Senate Bill No. 3151

Relating to counties.

Substitute Senate Bill No. 3161

Relating to service districts.

Senate Bill No. 3252

Relating to aircraft dealers.

Substitute Senate Bill No. 3742

Relating to absentee voting.

Substitute Senate Bill No. 4201

Relating to oil.

Substitute Senate Bill No. 3007

Relating to sexual offenses.

Substitute Senate Bill No. 3054

Relating to certification of plumbers.

Sincerely,  
Marilyn Showalter,  
Counsel for the Governor

## SENATE ROSTER — 1983 SESSIONS FORTY-EIGHTH LEGISLATURE

H. A. "BARNEY" GOLTZ, President Pro Tem  
A. L. "SLIM" RASMUSSEN, Vice President Pro Tem

Name of Member	Dis- trict	County	Mailing Address	Age
		Lincoln Pend Oreille Stevens Ferry		
Barr, Scott	7	Okanogan, part Spokane, part	Rt. 1, Box 130 Edwall 99008	66
Bauer, Al	49	Clark, part	13611 N.E. 20th Ave. Vancouver 98665	54
Bender, Rick S.	44	King, part Snohomish, part	16209 Simonds Rd. N.E. Bothell 98011	33
Benitz, Max E.	8	Benton, part	Rt. 2, Box 2521 Prosser 99350	66
Bluechel, Alan	45	King, part	9901 N.E. 124th St. No. 505 Kirkland 98033	58
Bottiger, R. Ted	2	Pierce, part Thurston, part	8849 Pacific Ave. Tacoma 98444	50
Clarke, George W.	41	King, part	1111 Hoge Bldg. Seattle 98104	76
Conner, Paul H.	24	Clallam Jefferson Grays Harbor, part	195 Pinnell Rd. Sequim 98382	57
Craswell, Ellen	23	Kitsap, part	8066 Chico Way N.W., Bremerton 98312	50
Deccio, Alex	14	Yakima, part	P.O. Box 1343 Yakima 98907	55
Fleming, George	37	King, part	1100 Lake Wash- ington Blvd. So. Seattle 98144	44
Fuller, W.H. "Bill"	20	Lewis Thurston, part	330 Brockway Rd. Chehalis 98532	69
Gaspard, Marcus S.	25	Pierce, part	8220 - 191st Ave. E. Sumner 98390	34
Goltz, H.A. "Barney"	42	Whatcom, part	3003 Vallette St. Bellingham 98225	58
Granlund, Barbara	26	Kitsap, part Pierce, part	3777 Pine Tree Dr. Port Orchard 98366	54
Guess, Sam C.	6	Spokane, part	W. 408-33rd Ave. Spokane 99203	73
Haley, Ted	28	Pierce, part	5800 100th St. S.W. #30 Tacoma 98499	62

Birthplace	Politics	Occupation	Previous Legislative Sessions Served	
			Senate	House
Washington	R	Cattle, Grain & Timber Products	1983	1977-1982
Montana	D	Farmer-Educator	1981-1983	1971-1980
Alaska	D	Public Relations Rep. Ins. Co. Part-owner, small const. firm	1983	1973-1982
Kansas	R	Agri-Business	1975-1983	1969-1974
Alberta, Canada	R	President, Loctwall Corporation	1975-1983	1967-1974
Washington	D	Attorney	1973-1983	1965-1972
Iowa	R	Attorney	Appointed 1/8/71. 1971-1983	1967-1970
Washington	D	Self-employed	Appointed 1957. 1979-1983	1959-1977
Washington	R	Housewife	1981-1983	1977-1980
Washington	R	Insurance Broker	1981-1983	1975-1980
Texas	D	Economic Devel. Mgr., Pacific N.W. Bell	1971-1983	1969-1970
Idaho	R	Supermarket Operator	1981-1983	1977-1980
Washington	D	Real Estate	1977-1983	1973-1976
Minnesota	D	Management/Planning Consultant	1975-1983	1973-1974
Nebraska	D	Homemaker	1983	1979-1982
Mississippi	R	Engineer	1963-1983	
Washington	R	Physician	1980-1983	1975-1979

## SENATE ROSTER — 1983-1984 SESSIONS—continued

Name of Member	District	County	Mailing Address	Age
Hansen, Frank "Tub" .....	13	Adams, part Kittitas, part Grant, part Yakima, part .....	Star Rt., Box 73 Moses Lake 98837 .....	69
Hayner, Jeannette .....	16	Franklin, part Walla Walla Benton, part .....	P.O. Box 454 Walla Walla 99362 .....	63
Hemstad, Dick .....	22	Thurston, part .....	130 No. Sherman Olympia 98502 .....	50
Hughes, Jerry M. ....	5	Spokane, part .....	N. 3504 Milton Spokane 99205 .....	39
Hurley, Margaret .....	3	Spokane, part .....	E. 730 Boone Ave. Spokane 99202 .....	
* Jones, John D. ....	48	King, part .....	18 Bridlewood Circle, Kirkland 98033 .....	58
Kiskaddon, Bill .....	1	King, part Snohomish, part .....	4404-242nd Place S.W. Mountlake Terrace 98043 .....	53
Lee, Eleanor .....	33	King, part .....	Box 66274 Burien 98166 .....	51
McCaslin, Bob .....	4	Spokane, part .....	E. 12719-23rd Spokane 99216 .....	56
McDermott, James A. ....	43	King, part .....	1650 22nd E. Seattle 98112 .....	46
McManus, Mike .....	21	Snohomish, part .....	6315 148th Pl. S.W. Edmonds 98020 .....	49
Metcalf, Jack .....	10	Island Snohomish, part Skagit, part .....	3273 E. Saratoga Rd. Langley 98260 .....	55
Moore, Ray .....	36	King, part .....	1722 Bigelow Ave. N. Seattle 98109 .....	70
Newhouse, Irving .....	15	Benton, part Yakima, part .....	Rt. 1, Box 130 Mabton 98935 .....	62
Owen, Brad .....	35	Mason Kitsap, part Thurston, part Grays Harbor, part .....	402-B Public Lands Olympia 98504 .....	32
Patterson, E.G. "Pat" .....	9	Asotin Columbia Garfield Whitman Adams, part Franklin, part .....	N.E. 400 Campus Pullman 99163 .....	63

Birthplace	Politics	Occupation	Previous Legislative Sessions Served	
			Senate	House
Washington	D	Retired Rancher	1979-1983	1973-1977
Oregon	R	Attorney	1977-1983	1973-1976
Wisconsin	R	Attorney & Professor	1981-1983	
New York	D	Instructor, Gonzaga Univ. North Central Spokane	1981-1983	1977-1980
Minnesota	D	Former Teacher	1980-1983	1953-1979
Wales	R	Community Affairs Manager, Pac. N.W. Bell	Appointed 1973, 1973-1983	1971-1972
California	R	Counselor & Therapist	1981-1983	1966-1972
Illinois	R	Business Manager, Fairman B. Lee Co.	1979-1983	1975-1977
Ohio	R	Real Estate Broker	1981-1983	
Illinois	D	Physician	1975-1983	1971-1972
Wisconsin	D	Businessman	1983	
Washington	R	Retired Teacher	1967-1974, 1981-1983	1961-1963
Washington	D	Securities Broker, Restaurant Owner	1979-1983	
Washington	R	Diversified Rancher	Appointed 1981, 1981-1983	1965-1979
Washington	D	Grocer	1983	1976 2nd Ex.- 1982
Washington	R	Retired WSU Administrator	1981-1983	1973-1980

## SENATE ROSTER — 1983-1984 SESSIONS—continued

Name of Member	Dis- trict	County	Mailing Address	Age
Peterson, Lowell	40	San Juan Skagit. part Whatcom. part	Box 249 Concrete 98237	61
Pullen, Kent	47	King. part	22844 172nd Ave. S.E. Kent 98031	40
Quigg, J.T.	19	Cowlitz. part Grays Harbor. part Pacific Wahkiakum	Room 109-B Institutions Bldg. Olympia 98504	35
Rasmussen, A. L. "Slim"	29	Pierce. part	5415 A St. Tacoma 98408	73
Rinehart, Nita	46	King. part	4515 51st Ave. N.E. Seattle 98105	42
Sellar, George L.	12	Chelan Douglas Grant. part Kittitas. part Okanogan. part	1324 Terrace Dr. E. Wenatchee 98801	54
Shinpoch, A.N. "Bud"	11	King. part	361 Maple Ave. N.W. Renton 98055	58
Talmadge, Phil	34	King. part	District Office: 1725 S.W. Roxbury, #5 Seattle 98106	30
Thompson, Alan	18	Cowlitz. part Clark. part	191 Nob Lane Kelso 98626	55
Vognild, Larry L.	38	Snohomish. part	5028 Wilmington Everett 98203	51
von Reichbauer, Peter	30	King. part Pierce. part	113 Institutions Bldg. Olympia 98504	38
Warnke, Frank J.	31	King. part Pierce. part	29457 51st So. Auburn 98002	49
Williams, Al	32	King. part	4801 Fremont N. Seattle 98103	52
Wojahn, R. Lorraine	27	Pierce. part	3592 E. K St. Tacoma 98404	62
Woody, Dianne H.	39	Snohomish. part	24328 - 47th S.E. Woodinville 98072	
Zimmerman, Harold S.	17	Klickitat Skamania Clark. part	1432 N.E. 6th Ave. Camas 98607	59
Lieutenant Governor Cherberg, John A.		President of the Senate	Legislative Building, Olympia 98504	72



Birthplace	Politics	Occupation	Previous Legislative Sessions Served	
			Senate	House
Washington	D	Fuel Distributor	1965-1983	
Texas	R	Chemist	1975-1983	1973-1974
Washington	R	Contractor	1979-1983	
Washington	D	Retired	1971-1983	1945-1959
Texas	D	Homemaker	1983	Appt. 11/6/79. Elected 11/80, 1981-1982
Illinois	R	Manager, Water Resources Port of Chelan Co	Appointed 1/7/72, 1972-1983	
Oklahoma	D	Retired	Appointed 12/7/77, 1979-1983	1970-1977
Washington	D	Attorney	1979-1983	
Iowa	D	Publisher	Appointed 12/17/82, 1983	1965-1982
Washington	D	Retired	1979-1983	
Washington	R	Investment Management	1974-1983	
Montana	D	Labor Relations Director	1983	1965 1973-1982
North Dakota	D	Architect	Appointed 2/4/78, 1979-1983	1970-1977
Washington	D		1977-1983	1969-1976
Washington	D		Appointed 9/27/77, 1979-1983	
North Dakota	R	Newspaper Publisher, Columnist	1981-1983	1967-1980
Florida	D	Lieutenant Governor	Elected 1957, 1957-1983	

## SENATE ROSTER — 1983-1984 SESSIONS—continued

Name of Member	Dis- trict	County	Mailing Address	Age
Snyder, Sid .....		Secretary of the Senate .....	P.O. Box 531 Long Beach 98631 .....	56
Gleason, Bill .....		Assistant Secretary of the Senate .....	611 No. C St. Tacoma 98403 .....	42
Scarpelli, O.F. "Ole" .....		Sergeant at Arms .....	6345 6th Ave. N.E. Seattle 98115 .....	61

\* Resigned September 1, 1983

Birthplace	Politics	Occupation	Previous Legislative Sessions Served	
			Senate	House
Washington	D	Owner, Operator, Supermarket	Elected 5/12/69, 1969-1983	Served as Assistant Chief Clerk or Acting Chief Clerk 1957 to May, 1969
Washington	D	Professional	Appt. 1971 1971-1981 1983	
Washington	D	Real Estate Broker	1983	

**Membership of  
Senate Standing Committees  
1983**

AGRICULTURE (6)—Hansen, Chairman; Goltz, Vice Chairman; Barr, Benitz, Gaspard, Newhouse.

COMMERCE AND LABOR (11)—Vognild, Chairman; Wojahn, Vice Chairman; Haley, McCaslin, McManus, Moore, Newhouse, Quigg, Sellar, Shinpoch, Williams.

EDUCATION (17)—Gaspard, Chairman; Bauer, Vice Chairman; Rinehart, Vice Chairman; Bender, Benitz, Craswell, Fleming, Goltz, Guess, Hemstad, Hughes, Kiskaddon, Lee, McDermott, Patterson, von Reichbauer, Warnke.

ENERGY AND UTILITIES (9)—Williams, Chairman; Hurley, Vice Chairman; Benitz, Fuller, Goltz, Hemstad, McManus, Moore, Quigg.

FINANCIAL INSTITUTIONS (9)—Moore, Chairman; Bender, Vice Chairman; Bottiger, Clarke, Deccio, Jones, Sellar, Warnke, Wojahn.

INSTITUTIONS (7)—Granlund, Chairman; Owen, Vice Chairman; Fuller, McManus, Metcalf, Peterson, Pullen.

JUDICIARY (10)—Talmadge, Chairman; Hughes, Vice Chairman; Clarke, Fleming, Hayner, Hemstad, Newhouse, Thompson, Williams, Woody.

LOCAL GOVERNMENT (7)—Thompson, Chairman; Bauer, Vice Chairman; Barr, Granlund, McCaslin, Woody, Zimmerman.

NATURAL RESOURCES (11)—Owen, Chairman; Peterson, Vice Chairman; Conner, Fuller, Metcalf, Patterson, Quigg, Rasmussen, Shinpoch, Vognild, von Reichbauer.

PARKS AND ECOLOGY (12)—Hughes, Chairman; Talmadge, Vice Chairman; Bluechel, Haley, Hansen, Hurley, Kiskaddon, Lee, McDermott, Pullen, Rasmussen, Williams.

RULES (21)—Cherberg, Chairman; Goltz, Vice Chairman; Bauer, Bender, Bluechel, Bottiger, Clarke, Conner, Fleming, Guess, Hayner, Hurley, Jones, Metcalf, Newhouse, Patterson, Rasmussen, Rinehart, Sellar, Shinpoch, Wojahn, Woody.

SOCIAL AND HEALTH SERVICES (7)—McManus, Chairman; Conner, Craswell, Deccio, Granlund, Kiskaddon, Moore.

STATE GOVERNMENT (7)—Warnke, Chairman; Rasmussen, Vice Chairman; Jones, McCaslin, McDermott, Rinehart, Zimmerman.

TRANSPORTATION (13)—Peterson, Chairman; Hansen, Vice Chairman; Barr, Bender, Conner, Granlund, Guess, Haley, Owen, Patterson, Sellar, Vognild, von Reichbauer.

WAYS AND MEANS (21)—McDermott, Chairman; Gaspard, Vice Chairman; Bauer, Bluechel, Bottiger, Craswell, Deccio, Fleming, Hayner, Hughes, Lee, Metcalf, Pullen, Rinehart, Shinpoch, Talmadge, Thompson, Warnke, Wojahn, Woody, Zimmerman.

### Member Assignments to Senate Standing Committees 1983

- BARR, SCOTT—Agriculture, Local Government, Transportation.
- BAUER, ALBERT—Education, Vice Chairman; Local Government, Vice Chairman; Rules, Ways and Means.
- BENDER, RICK S.—Financial Institutions, Vice Chairman; Education, Rules, Transportation.
- BENITZ, MAX E.—Agriculture, Education, Energy and Utilities.
- BLUECHEL, ALAN—Parks and Ecology, Rules, Ways and Means.
- BOTTIGER, R. TED—Financial Institutions, Rules, Ways and Means.
- CLARKE, GEORGE W.—Financial Institutions, Judiciary, Rules.
- CONNER, PAUL—Natural Resources, Rules, Social and Health Services, Transportation.
- CRASWELL, ELLEN—Education, Social and Health Services, Ways and Means.
- DECCIO, ALEX A.—Financial Institutions, Social and Health Services, Ways and Means.
- FLEMING, GEORGE—Education, Judiciary, Rules, Ways and Means.
- FULLER, W. H. "BILL"—Energy and Utilities, Institutions, Natural Resources.
- GASPARD, MARCUS—Education, Chairman; Ways and Means, Vice Chairman; Agriculture.
- GOLTZ, H. A. "BARNEY"—Agriculture, Vice Chairman; Rules, Vice Chairman; Education, Energy and Utilities.
- GRANLUND, BARBARA—Institutions, Chairman; Local Government, Social and Health Services, Transportation.
- GUESS, SAM C.—Education, Rules, Transportation.
- HALEY, TED—Commerce and Labor, Parks and Ecology, Transportation.
- HANSEN, FRANK "TUB"—Agriculture, Chairman; Transportation, Vice Chairman; Parks and Ecology.
- HAYNER, JEANNETTE—Judiciary, Rules, Ways and Means.
- HEMSTAD, DICK—Education, Energy and Utilities, Judiciary.
- HUGHES, JERRY M.—Parks and Ecology, Chairman; Judiciary, Vice Chairman; Education, Ways and Means.
- HURLEY, MARGARET—Energy and Utilities, Vice Chairman; Parks and Ecology, Rules.
- \* JONES, JOHN D.—Financial Institutions, Rules, State Government.
- KISKADDON, BILL—Education, Parks and Ecology, Social and Health Services.
- LEE, ELEANOR—Education, Parks and Ecology, Ways and Means.
- MCCASLIN, BOB—Commerce and Labor, Local Government, State Government.
- MCDERMOTT, JAMES A.—Ways and Means, Chairman; Education, Parks and Ecology, State Government.
- MCMANUS, MIKE—Social and Health Services, Chairman; Commerce and Labor, Energy and Utilities, Institutions.
- METCALF, JACK—Institutions, Natural Resources, Rules, Ways and Means.
- MOORE, RAY—Financial Institutions, Chairman; Commerce and Labor, Energy and Utilities, Social and Health Services.
- NEWHOUSE, IRVING—Agriculture, Commerce and Labor, Judiciary, Rules.
- OWEN, BRAD—Natural Resources, Chairman; Institutions, Vice Chairman; Transportation.
- PATTERSON, E. G. "PAT"—Education, Natural Resources, Rules, Transportation.
- PETERSON, LOWELL—Transportation, Chairman; Natural Resources, Vice Chairman; Institutions.
- PULLEN, KENT—Institutions, Parks and Ecology, Ways and Means.
- QUIGG, J. T.—Commerce and Labor, Energy and Utilities, Natural Resources.
- RASMUSSEN, A. L. "SLIM"—State Government, Vice Chairman; Natural Resources, Parks and Ecology, Rules.
- RINEHART, NITA.—Education, Vice Chairman; Rules, State Government, Ways and Means.

- SELLAR, GEORGE L.—Commerce and Labor, Financial Institutions, Rules, Transportation.
- SHINPOCH, A. N. "BUD"—Commerce and Labor, Natural Resources, Rules, Ways and Means.
- TALMADGE, PHIL—Judiciary, Chairman, Parks and Ecology, Vice Chairman, Ways and Means.
- THOMPSON, ALAN—Local Government, Chairman; Judiciary, Ways and Means.
- VOGNILD, LARRY L.—Commerce and Labor, Chairman; Natural Resources, Transportation.
- VON REICHBAUER, PETER—Education, Natural Resources, Transportation.
- WARNKE, FRANK J.—State Government, Chairman; Education, Financial Institutions, Ways and Means.
- WILLIAMS, AL—Energy and Utilities, Chairman; Commerce and Labor, Judiciary, Parks and Ecology.
- WOJAHN, R. LORRAINE—Commerce and Labor, Vice Chairman; Financial Institutions, Rules, Ways and Means.
- WOODY, DIANNE H.—Judiciary, Local Government, Rules, Ways and Means.
- ZIMMERMAN, HAL—Local Government, State Government, Ways and Means.
- \* Resigned September 1, 1983

**SENATE BILLS PASSED BY BOTH HOUSE AND SENATE  
SHOWING THE ACTION BY THE GOVERNOR THEREON**

Forty-Eighth Legislature  
1983 Regular Session  
1983 First, Second and Third Special Sessions

Senate No.	Relating to:	Chapter No.	Effective Date
S 3006	SEPA revisions . . . . .	117	*4/23/83
	*Section 3 . . . . .		10/20/83
S 3007	Rape and spouses . . . . .	118	7/24/83
3009	Deadly weapons and rape . . . . .	73	7/24/83
3018	Subdivision of land . . . . .	121	7/24/83
S 3022	Crime victim compensation . . . . .	239	7/24/83
S 3026	Hazardous waste-state patrol . . . . .	205	5/16/83
S 3034	Consumer warranties . . . . .	240	7/24/83
S 3035	Public works plan . . . . .	231	5/17/83
3036	Double amendment corrections . . . . .	2	*2/3/83
	*Section 17 . . . . .		7/1/83
	Section 20 . . . . .		7/1/84
3037	Obsolete statutory reference . . . . .	3	7/24/83
3038	WUTC corrections . . . . .	4	2/3/83
3039	Code correction . . . . .	5	2/3/83
S 3042	Higher ed. labor relations . . . . .	Vetoed	
S 3043	Furlough notice . . . . .	122	4/23/83
S 3052	Elevators, moving walks . . . . .	123	7/24/83
S 3053	Contractor registration fees . . . . .	74	*7/24/83
	*Section 3 . . . . .		6/29/83
S 3054	Plumber certification . . . . .	124	*7/24/83
	*Sections 4 thru 16 . . . . .		1/1/84
S 3055	Electrical construction . . . . .	206	7/24/83
S 3056	Contractor registration . . . . .	2 E1	*8/23/83
	*Sections 1 thru 17 . . . . .		1/1/84
S 3066	Harbor lease moneys . . . . .	153	7/1/83
S 3067	Fuel tax . . . . .	35 E1	5/17/83
S 3068	Food donations to needy . . . . .	241	7/24/83
3076	Garbage trucks weight . . . . .	68	7/24/83
S 3079	Sewer officials insurance . . . . .	37 E1	8/23/83
S 3081	Barber regulation . . . . .	75	4/22/83
3084	Boundary review board . . . . .	76	7/24/83
2S 3085	Unemployment comp. payments . . . . .	PV 13 E1	5/11/83
S 3087	Unemployment insurance . . . . .	207	7/31/83
S 3088	Cosmetology regulation . . . . .	208	5/16/83
3089	Private school purchases . . . . .	125	7/24/83
3090	Budget and Accounting Act . . . . .	PV 47 E1	8/23/83
S 3094	Street latecomer fees . . . . .	126	7/24/83
3096	School dist. payment schedule . . . . .	14	3/25/83
3097	Motor vehicle fees . . . . .	77	7/24/83
2S 3100	Supplemental budget . . . . .	PV 12	3/18/83
S 3101	Liquor control board . . . . .	160	7/24/83
3106	Vehicular homicide; assault . . . . .	PV 164	7/24/83
S 3108	Ferry worker labor law . . . . .	15	3/28/83
S 3110	Credit union guaranty share . . . . .	48	4/19/83
S 3112	State redistricting act . . . . .		

\*Effective date per passage of Initiative 19

Senate No.	Relating to:	Chapter No.	Effective Date
	3120 Port commissioner vacancies	11	3/10/83
	3123 Reducing hearing transcriptions	209	7/24/83
S	3124 Wash. health care facilities	210	5/16/83
S	3127 Industrial insurance awards	211	7/24/83
	3130 Attorney fees	127	7/24/83
	3134 Special fuels license fees	212	5/16/83
	3140 City councils	128	7/24/83
	3142 Public treasurers	213	7/24/83
	3144 Special fuel trip permits	78	7/24/83
	3145 Special fuel taxes	242	7/24/83
S	3151 Special county attorneys	129	7/24/83
2S	3155 High tech. education training	72 E1	7/1/83
S	3156 Puget Sound water quality auth.	243	7/24/83
S	3161 County road service district	130	7/24/83
	3162 Nonprofit org. taxation	25 E1	8/23/83
S	3163 Japanese-American reparation	15 E1	8/23/83
S	3164 Domestic insurers	46	7/24/83
	3165 State route 21, Kahlotus to Linden	79	7/24/83
S	3166 Notary fees	214	7/24/83
	3167 State Route 530	131	7/24/83
	3172 Elude police, license revoke	80	7/24/83
S	3174 WSP retirement system	81	7/1/83
	3182 Financial institutions	PV 157	4/25/83
	3184 Double amendment	244	7/24/83
	3185 Limited jurisdiction	156	4/23/83
	3188 Timeshare offerings	22 E1	8/1/83
S	3197 Mastectomy, ins. coverage	113	7/24/83
	3198 WSDOT appropriation	18	4/13/83
	3203 Child restraints	215	7/24/83
S	3206 Open public meetings	155	7/24/83
	3211 Aircraft fuel taxes	49	5/1/83
S	3217 Outlaw certain salmon fish	245	7/24/83
	3221 Veterans affairs advis. commission	34	7/24/83
	3224 Heating services	216	7/24/83
2S	3230 Minority and women business	120	7/1/83
S	3239 Cold storage warehouse	132	7/24/83
S	3244 Excise taxes	66 E1	8/23/83
2S	3245 Housing finance commission	161	*5/11/83
	*Section 10		1/1/84
S	3248 Comparable worth salaries	75 E1	8/23/83
	3250 Ferry contractor prequal.	133	4/23/83
S	3251 Portable oil fueled heater	134	7/24/83
	3252 Aircraft dealer registration	135	7/24/83
S	3253 Abused children, custody	246	7/24/83
	3255 Pedestrians, toll facilities	247	7/24/83
	3258 Modifications, 1983-85 taxes	PV 7	*3/1/83
	*Sections 9 - 22 & 25 - 27		6/30/83
	Sections 23 & 24		1/1/84
	Sections 1, 2, 4, 5, 28-31	Vetoed	
S	3266 WPPSS executive board	3 E1	8/23/83
2S	3272 Coroners' system	16 E1	7/1/83
S	3273 Radioactive waste commission	19 E1	5/13/83
	3282 Multistate highway transport	82	7/24/83
S	3290 Aquatic land lease	2 E2	6/13/83
	3297 Department of agriculture	248	7/24/83
S	3299 Personal leases	158	4/29/83
S	3308 Home health care coverage	249	7/1/83



## SENATE BILLS PASSED BY BOTH HOUSES

2465

Senate No.	Relating to:	Chapter No.	Effective Date
S 3311	Unemploy. insurance, modify	23 E1	*8/23/83
	*Sections 17, 18, 19, 25		6/30/83
	Sections 6 & 8		7/3/83
	Sections 4, 7, 11, 12 & 13		10/1/83
3314	OASI revolving fund	6 E1	8/23/83
3363	Port district treasurer	250	7/24/83
3364	RIF school employees, hearing	83	7/24/83
S 3372	Wildlife value, civil penalty	8 E1	8/23/83
S 3380	Residential students, return comm	50	4/19/83
3383	Professional corporations	51	7/24/83
3390	Personalized licenses	24 E1	*7/1/84
	*Section 2		7/1/83
3392	Electric utility install. charge	217	7/24/83
3393	National guard, judges	218	7/24/83
3413	State parks, nonresid. surcharge	38 E1	5/19/83
3416	Revising sentencing laws	163	*7/24/83
	*Sections 1 thru 5		7/1/84
3426	Homestead, provisions modified	251	7/24/83
S 3433	Higher ed. facilities auth	PV 169	7/24/83
3442	Agreed dissolutions	219	7/24/83
3448	Intercol. nursing center fee	220	7/24/83
S 3453	Traffic offenses on campus	221	7/24/83
S 3480	Entertainers, indust. insur	252	7/24/83
S 3483	Oil and gas exploration	253	7/24/83
S 3490	Home rules, health officer	39 E1	8/23/83
3492	Higher ed. tuition reciproc	166	7/24/83
S 3494	Judgments, small claims court	254	1/1/83
S 3497	Propane fuel placard	237	7/24/83
3501	Interpreter, legal proceedings	222	7/24/83
S 3511	Hydroelectric facilities	47	4/19/83
S 3516	Leg. joint commission, abolish	52	7/24/83
3519	Mt. St. Helens, damage repair	1 E1	5/2/83
S 3520	Elections, voters, contest	30 E1	8/23/83
S 3522	County assess. review tax levy	223	7/24/83
3523	Prisoner furloughs	255	7/24/83
3531	College, university fees, refunds	256	7/24/83
3532	Community college, trustees, remove	224	7/24/83
3535	Milk/soy based beverage container	257	7/24/83
3537	Firefighters, guard animals	258	7/24/83
S 3538	Traffic safety, sunset	PV 14 E1	8/23/83
3585	Harbor leases	259	*11/8/83
	*Subject to voter approval SJR 105		
3588	State archivists	84	7/24/83
S 3595	Veteran services	260	5/17/83
3613	Gender-neutral language	20	7/24/83
S 3614	Public land exchange	261	7/24/83
2S 3624	Conservation corps	40 E1	8/23/83
S 3628	Hood Canal shrimp license	31 E1	1/1/84
S 3630	Irrigation district board	262	7/24/83
S 3637	Municipal corp. bond issue	263	7/24/83
S 3640	Landlord-tenant act, modify	264	7/24/83
S 3642	Charitable solicitations	265	*1/1/84
	*Section 19		7/24/83
3644	Higher ed. credential exempt	266	7/24/83
S 3645	Mental health insurance	35	7/1/83
S 3646	Juvenile offenders	267	7/24/83
3655	Podiatry, health care reimburse	154	7/24/83

Senate No.	Relating to:	Chapter No.	Effective Date
S 3657	State-owned armories	268	7/24/83
S 3660	DSHS powers	41 E1	8/23/83
S 3664	Water quality	269	7/24/83
	3674 Pollution control	270	7/24/83
S 3742	Precinct committeemen	136	7/24/83
S 3757	Nursing homes	236	7/24/83
	3760 Local economic development	51 E1	8/23/83
	3763 Guardians income reporting	271	7/24/83
S 3780	Nursing homes	67 E1	*7/1/83
	*Section 28		1/1/85
S 3782	Firearms, provisions modified	232	7/24/83
	3784 Federal unemployment trust fund	7 E1	5/11/83
S 3811	Local gov't, housing authority	225	7/24/83
S 3812	Surveys, plats, fees	272	7/24/83
S 3817	Body search restrictions	42 E1	7/1/83
	3840 Commission, deferred compensation	226	7/24/83
	3843 State board, geographic names	273	7/24/83
	3846 Impounded vehicle, redemption	274	5/17/83
S 3856	Criminal law	4 E1	8/23/83
	3857 Used car air pollution	PV 238	5/17/83
	3858 Annexation, cities, towns	68 E1	8/23/83
S 3864	Commodity commissions, assess.	73 E1	8/23/83
S 3880	School dist., employee leave	275	7/24/83
3909	1983-85 taxes, modifications	PV 3 E2	*7/1/83
	*Sections 42-50, 52, 53, 65, 66		6/30/83
	Sections 21, 22, 51		1/1/84
	Section 63		4/1/85
	Sections 61 & 62 (See Sec. 67(1)(f))		
	3991 Hood Canal toll end	Vetoed	
	3993 Joint admin. rules review comm	53	7/24/83
S 4007	Refunding bond act	69 E1	6/13/83
	4021 Insurance provider, fin. state	85	7/24/83
S 4022	Insurance commissioner, jurisdiction	36	7/24/83
S 4034	Motor veh. fuel, deceptive pricing	PV 114	7/24/83
S 4059	Central stores revolving fund	Vetoed	
S 4066	Consumer finance comp	227	7/24/83
	4082 Good behavior, prisoners	276	7/24/83
	4088 Archaeological research	159	5/5/83
S 4092	Property, casualty insurance	Vetoed	
S 4101	Parimutuel machine	228	7/24/83
2S 4102	Math/science teacher incentive	74 E1	8/23/83
	4103 Teacher contact hours	229	7/24/83
S 4107	Model litter control	277	7/24/83
	4112 Vehicle size and load	278	5/17/83
S 4135	Institutional impact account	279	5/17/83
S 4137	Adult corrections	52 E1	8/23/83
	4153 Veterans' special license plates	230	7/24/83
	4156 Wheelchair/fishing license	280	7/24/83
S 4201	Automotive oil recycle	137	7/24/83
	4204 Board of health extended	PV 235	*7/24/83
	*Sections 16 & 17		5/17/83
	4205 Productivity board	54	4/19/83
S 4226	Tree fruit sanitation	281	7/24/83
S 4245	Hazardous waste	70 E1	8/23/83
4279	Special primary/U.S. Senate	1 E3	9/10/83

**SENATE MEMORIALS AND RESOLUTIONS PASSED  
BY BOTH HOUSE AND SENATE**

Forty-Eighth Legislature - 1983  
1983 First, Second and Third Special Sessions

---

No.                      Subject:

---

SENATE JOINT MEMORIALS

106	Nuclear freeze requested
110	Columbia River Gorge, federal restraint
116	National Grand Coulee Dam day
118	Public TV matching funds

SENATE JOINT RESOLUTIONS

S 103	Redistrict commission, constitutional amendment
105	Harbor leases, fifty years
S 112	Energy conservation financing, local government

SENATE CONCURRENT RESOLUTIONS

103	Cut-off dates established
105	Washington participation, Nat'l. History Contest
108	Congratulating Roslynn Sumners, national skating champion
S 113	Joint committee, state government organization
118	Andrew W. Anderson, recreational fishing area
S 120	Joint select committee telecommunications regulation
125	Cutoff dates extended
127	Select Committee, International Trade
130	Legislative Transportation Committee studies
136	Adjourn sine die

**SENATE BILLS PASSED BY BOTH HOUSE AND SENATE  
SHOWING THE ACTION BY THE GOVERNOR THEREON**

Forty-Eighth Legislature  
1983 Regular Session  
1983 First, Second and Third Special Sessions

Senate No.	Relating to:	Chapter No.	Effective Date
S 3006	SEPA revisions	117	*4/23/83
	*Section 3		10/20/83
S 3007	Rape and spouses	118	7/24/83
3009	Deadly weapons and rape	73	7/24/83
3018	Subdivision of land	121	7/24/83
S 3022	Crime victim compensation	239	7/24/83
S 3026	Hazardous waste-state patrol	205	5/16/83
S 3034	Consumer warranties	240	7/24/83
S 3035	Public works plan	231	5/17/83
3036	Double amendment corrections	2	*2/3/83
	*Section 17		7/1/83
	Section 20		7/1/84
3037	Obsolete statutory reference	3	7/24/83
3038	WUTC corrections	4	2/3/83
3039	Code correction	5	2/3/83
S 3042	Higher ed. labor relations	Vetoed	
S 3043	Furlough notice	122	4/23/83
S 3052	Elevators, moving walks	123	7/24/83
S 3053	Contractor registration fees	74	*7/24/83
	*Section 3		6/29/83
S 3054	Plumber certification	124	*7/24/83
	*Sections 4 thru 16		1/1/84
S 3055	Electrical construction	206	7/24/83
S 3056	Contractor registration	2 E1	*8/23/83
	*Sections 1 thru 17		1/1/84
S 3066	Harbor lease moneys	153	7/1/83
S 3067	Fuel tax	35 E1	5/17/83
S 3068	Food donations to needy	241	7/24/83
3076	Garbage trucks weight	68	7/24/83
S 3079	Sewer officials insurance	37 E1	8/23/83
S 3081	Barber regulation	75	4/22/83
3084	Boundary review board	76	7/24/83
2S 3085	Unemployment comp. payments	PV 13 E1	5/11/83
S 3087	Unemployment insurance	207	7/31/83
S 3088	Cosmetology regulation	208	5/16/83
3089	Private school purchases	125	7/24/83
3090	Budget and Accounting Act	PV 47 E1	8/23/83
S 3094	Street latecomer fees	126	7/24/83
3096	School dist. payment schedule	14	3/25/83
3097	Motor vehicle fees	77	7/24/83
2S 3100	Supplemental budget	PV 12	3/18/83
S 3101	Liquor control board	160	7/24/83
3106	Vehicle homicide; assault	PV 164	7/24/83
S 3108	Ferry worker labor law	15	3/28/83
S 3110	Credit union guaranty share	48	4/19/83
S 3112	State redistricting act		*
	*Effective date per passage of Initiative 19		

Senate No.	Relating to:	Chapter No.	Effective Date
	3120 Port commissioner vacancies	11	3/10/83
	3123 Reducing hearing transcriptions	209	7/24/83
S	3124 Wash. health care facilities	210	5/16/83
S	3127 Industrial insurance awards	211	7/24/83
	3130 Attorney fees	127	7/24/83
	3134 Special fuels license fees	212	5/16/83
	3140 City councils	128	7/24/83
	3142 Public treasurers	213	7/24/83
	3144 Special fuel trip permits	78	7/24/83
	3145 Special fuel taxes	242	7/24/83
S	3151 Special county attorneys	129	7/24/83
2S	3155 High tech. education training	72 E1	7/1/83
S	3156 Puget Sound water quality auth.	243	7/24/83
S	3161 County road service district	130	7/24/83
	3162 Nonprofit org. taxation	25 E1	8/23/83
S	3163 Japanese-American reparation	15 E1	8/23/83
S	3164 Domestic insurers	46	7/24/83
	3165 State route 21, Kahlotus to Linden	79	7/24/83
S	3166 Notary fees	214	7/24/83
	3167 State Route 530	131	7/24/83
	3172 Elude police, license revoke	80	7/24/83
S	3174 WSP retirement system	81	7/1/83
	3182 Financial institutions	PV 157	4/25/83
	3184 Double amendment	244	7/24/83
	3185 Limited jurisdiction	156	4/23/83
	3188 Timeshare offerings	22 E1	8/1/83
S	3197 Mastectomy, ins. coverage	113	7/24/83
	3198 WSDOT appropriation	18	4/13/83
	3203 Child restraints	215	7/24/83
S	3206 Open public meetings	155	7/24/83
	3211 Aircraft fuel taxes	49	5/1/83
S	3217 Outlaw certain salmon fish	245	7/24/83
	3221 Veterans affairs advis. commission	34	7/24/83
	3224 Heating services	216	7/24/83
2S	3230 Minority and women business	120	7/1/83
S	3239 Cold storage warehouse	132	7/24/83
S	3244 Excise taxes	66 E1	8/23/83
2S	3245 Housing finance commission	161	*5/11/83
	*Section 10		1/1/84
S	3248 Comparable worth salaries	75 E1	8/23/83
	3250 Ferry contractor prequal	133	4/23/83
S	3251 Portable oil fueled heater	134	7/24/83
	3252 Aircraft dealer registration	135	7/24/83
S	3253 Abused children, custody	246	7/24/83
	3255 Pedestrians, toll facilities	247	7/24/83
	3258 Modifications, 1983-85 taxes	PV 7	*3/1/83
	*Sections 9 - 22 & 25 - 27		6/30/83
	Sections 23 & 24		1/1/84
	Sections 1, 2, 4, 5, 28-31	Vetoed	
S	3266 WPPSS executive board	3 E1	8/23/83
2S	3272 Coroners' system	16 E1	7/1/83
S	3273 Radioactive waste commission	19 E1	5/13/83
	3282 Multistate highway transport	82	7/24/83
S	3290 Aquatic land lease	2 E2	6/13/83
	3297 Department of agriculture	248	7/24/83
S	3299 Personal leases	158	4/29/83
S	3308 Home health care coverage	249	7/1/83

Senate No.	Relating to:	Chapter No.	Effective Date
S 3311	Unemploy. insurance, modify *Sections 17, 18, 19, 25 Sections 6 & 8 Sections 4, 7, 11, 12 & 13	23 E1	*8/23/83 6/30/83 7/3/83 10/1/83
3314	OASI revolving fund	6 E1	8/23/83
3363	Port district treasurer	250	7/24/83
3364	RIF school employees, hearing	83	7/24/83
S 3372	Wildlife value, civil penalty	8 E1	8/23/83
S 3380	Residential students, return comm	50	4/19/83
3383	Professional corporations	51	7/24/83
3390	Personalized licenses *Section 2	24 E1	*7/1/84 7/1/83
3392	Electric utility install. charge	217	7/24/83
3393	National guard, judges	218	7/24/83
3413	State parks, nonresid. surcharge	38 E1	5/19/83
3416	Revising sentencing laws *Sections 1 thru 5	163	*7/24/83 7/1/84
3426	Homestead, provisions modified	251	7/24/83
S 3433	Higher ed. facilities auth	PV 169	7/24/83
3442	Agreed dissolutions	219	7/24/83
3448	Intercol. nursing center fee	220	7/24/83
S 3453	Traffic offenses on campus	221	7/24/83
S 3480	Entertainers, indust. insur	252	7/24/83
S 3483	Oil and gas exploration	253	7/24/83
S 3490	Home rules, health officer	39 E1	8/23/83
3492	Higher ed. tuition reciproc	166	7/24/83
S 3494	Judgments, small claims court	254	1/1/83
S 3497	Propane fuel placard	237	7/24/83
3501	Interpreter, legal proceedings	222	7/24/83
S 3511	Hydroelectric facilities	47	4/19/83
S 3516	Leg. joint commission, abolish	52	7/24/83
3519	Mt. St. Helens, damage repair	1 E1	5/2/83
S 3520	Elections, voters, contest	30 E1	8/23/83
S 3522	County assess. review tax levy	223	7/24/83
3523	Prisoner furloughs	255	7/24/83
3531	College, university fees, refunds	256	7/24/83
3532	Community college, trustees, remove	224	7/24/83
3535	Milk/soy based beverage container	257	7/24/83
3537	Firefighters, guard animals	258	7/24/83
S 3538	Traffic safety, sunset	PV 14 E1	8/23/83
3585	Harbor leases *Subject to voter approval SJR 105	259	*11/8/83
3588	State archivists	84	7/24/83
S 3595	Veteran services	260	5/17/83
3613	Gender-neutral language	20	7/24/83
S 3614	Public land exchange	261	7/24/83
2S 3624	Conservation corps	40 E1	8/23/83
S 3628	Hood Canal shrimp license	31 E1	1/1/84
S 3630	Irrigation district board	262	7/24/83
S 3637	Municipal corp. bond issue	263	7/24/83
S 3640	Landlord-tenant act, modify	264	7/24/83
S 3642	Charitable solicitations *Section 19	265	*1/1/84 7/24/83
3644	Higher ed. credential exempt	266	7/24/83
S 3645	Mental health insurance	35	7/1/83
S 3646	Juvenile offenders	267	7/24/83
3655	Podiatry, health care reimburse	154	7/24/83

Senate No.	Relating to:	Chapter No.	Effective Date
S 3657	State-owned armories	268	7/24/83
S 3660	DSHS powers	41 E1	8/23/83
S 3664	Water quality	269	7/24/83
	3674 Pollution control	270	7/24/83
S 3742	Precinct committeemen	136	7/24/83
S 3757	Nursing homes	236	7/24/83
	3760 Local economic development	51 E1	8/23/83
	3763 Guardians income reporting	271	7/24/83
S 3780	Nursing homes	67 E1	*7/1/83
	*Section 28		1/1/85
S 3782	Firearms, provisions modified	232	7/24/83
	3784 Federal unemployment trust fund	7 E1	5/11/83
S 3811	Local gov't., housing authority	225	7/24/83
S 3812	Surveys, plats, fees	272	7/24/83
S 3817	Body search restrictions	42 E1	7/1/83
	3840 Commission, deferred compensation	226	7/24/83
	3843 State board, geographic names	273	7/24/83
	3846 Impounded vehicle, redemption	274	5/17/83
S 3856	Criminal law	4 E1	8/23/83
	3857 Used car air pollution	PV 238	5/17/83
	3858 Annexation, cities, towns	68 E1	8/23/83
S 3864	Commodity commissions, assess	73 E1	8/23/83
S 3880	School dist., employee leave	275	7/24/83
3909	1983-85 taxes, modifications	PV 3 E2	*7/1/83
	*Sections 42-50, 52, 53, 65, 66		6/30/83
	Sections 21, 22, 51		1/1/84
	Section 63		4/1/85
	Sections 61 & 62 (See Sec. 67(1)(f))		
3991	Hood Canal toll end	Vetoed	
3993	Joint admin. rules review comm	53	7/24/83
S 4007	Refunding bond act	69 E1	6/13/83
	4021 Insurance provider, fin. state	85	7/24/83
S 4022	Insurance commissioner, jurisdiction	36	7/24/83
S 4034	Motor veh. fuel, deceptive pricing	PV 114	7/24/83
S 4059	Central stores revolving fund	Vetoed	
S 4066	Consumer finance comp	227	7/24/83
	4082 Good behavior, prisoners	276	7/24/83
	4088 Archaeological research	159	5/5/83
S 4092	Property, casualty insurance	Vetoed	
S 4101	Parimutuel machine	228	7/24/83
2S 4102	Math/science teacher incentive	74 E1	8/23/83
	4103 Teacher contact hours	229	7/24/83
S 4107	Model litter control	277	7/24/83
	4112 Vehicle size and load	278	5/17/83
S 4135	Institutional impact account	279	5/17/83
S 4137	Adult corrections	52 E1	8/23/83
	4153 Veterans' special license plates	230	7/24/83
	4156 Wheelchair/fishing license	280	7/24/83
S 4201	Automotive oil recycle	137	7/24/83
4204	Board of health extended	PV 235	*7/24/83
	*Sections 16 & 17		5/17/83
	4205 Productivity board	54	4/19/83
S 4226	Tree fruit sanitation	281	7/24/83
S 4245	Hazardous waste	70 E1	8/23/83
4279	Special primary/U.S. Senate	1 E3	9/10/83

**HOUSE MEMORIALS AND RESOLUTIONS PASSED  
BY BOTH HOUSE AND SENATE**

Forty-Eighth Legislature  
1983 Regular Session  
1983 First, Second and Third Special Sessions

---

No.            Subject:

---

HOUSE JOINT MEMORIALS

4	Hydro-electric facility authority
15	Civilian conservation corps established
17	ERA amendment to the Constitution
S 19	Export Import bank, funding
31	MIAs, petition to Congress
32	Steelhead, national game fish

HOUSE CONCURRENT RESOLUTIONS

1	Legislature organized, Governor notified
S 2	City-county consolidation study
3	Joint Ad Hoc Committee Science & Technology
S 6	Emergency commission, economic development, job creation
9	Joint session, memorial service
19	Notifying Governor, sine die
20	Bills to house of origin
21	Notify Governor, House organized, special session
22	Reintroduction of bills
23	Limiting reintroduction of bills
26	Joint session, Governor message, WPPSS
28	Bills to house of origin
29	Notify Governor, sine die, special session



## HISTORY OF SENATE BILLS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3001.	10	704			60	
3002.	10					
3003.	10	718				
3003.(Sub)			793	796	793,795, 1624	
3004.	10					
3005.	10	168				
3006.	10	429			629	
3006.(Sub)			734	735	1298,1305	Ch. 117
3007.	11	451				
3007.(Sub)			853	853	1277,1297	Ch. 118
3008.	11					
3009.	11	436	642	642	1085, 1109	1439 Ch. 73
3010.	11					
3011.	11					
3012.	11					
3013.	11					
3014.	11					
3015.	11	443	470	470	1624	
3016.	12					
3017.	12					
3018.	12	242	550	550	1277,1297	Ch. 121
3019.	12	322,519			500	
3019.(2nd Sub)			675	676	1624	
3020.	12					
3021.	12	724				
3021.(Sub)			842	842	1624	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3022.	12	168				
3022.(Sub)			458	460	1425,1577, 1598,1603, 1613,1621	2141 Ch. 239
3023.	12					
3024.	13					
3025.	13					
3026.	13	370				
3026.(Sub)			694	694	1526,1601, 1612	2136 Ch. 205
3027.	13	367,691				
3028.	13					
3029.	13					
3030.	13					
3031.	13					
3032.	13					
3033.	13					
3034.	13	762				
3034.(Sub)			831	831	1426,1444, 1497,1598	2141 Ch. 240
3035.	14					
3035.(Sub)		74	104	104	1445,1497, 1598	2141 Ch. 231
3036.	14	45	72	72	152,156	192 Ch. 2
3037.	14	45	72	72	152,156	192 Ch. 3
3038.	18	45	73	73	152,156	192 Ch. 4
3039.	18	45	73	73	152,156	192 Ch. 5
3040.	18					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3041.	18	739			830	
3042.	18	219				
3042.(Sub)			386	390	389,1446, 1497,1598	Vetoed
3043.	41	381				
3043.(Sub)			537	537	1277,1297	Ch. 122
3044.	41	429,618, 1751	1792	1801	1774,1793, 1801,2390	
3045.	41	132	191	191, 1749	1624, 2390	
3046.	41					
3047.	41					
3048.	41					
3049.	41					
3050.	42					
3051.	42	305,463, 507				
3051.(2nd Sub)			548	548	1624	
3052.	42	181				
3052.(Sub)			483	483	1277,1297	Ch. 123
3053.	42	585				
3053.(Sub)			708	708	1123, 1146	1440 Ch. 74
3054.	42	555				
3054.(Sub)			737	737	1277,1297	Ch. 124
3055.	42	665				
3055.(Sub)			847	848	848,1446, 1497,1598	2136 Ch. 206
3056.	43	585				
3056.(Sub)			806, 1640	806, 1642	1449, 1612,1731, 1771	1856 Ch. 2 E1

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amendments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3057.	44	203				
3057.(Sub)			513	514	1624	
3058.	43					
3059.	43	151	511	512	1624	
3060.	43	269	738	738	1624	
3061.	43					
3062.	47	117	275		54	
3062.(Sub)			275	275	1624	
3063.	47				54	
3064.	47	739				
3065.	47					
3066.	48	666				
3066.(Sub)			800	800	1277,1297	Ch. 153
3067.	48	196				
3067.(Sub)			461	461	1624,1951, 1979	2142 Ch. 35 E1
3068.	48	624			448	
3068.(Sub)			708	708	1527,1601, 1612	2141 Ch. 241
3069.	48					
3070.	48					
3071.	48	739				
3072.	48				220	
3073.	48					
3074.	48	290				
3074.(Sub)			595	595	1624,2390	
3075.	48	125,463				
3076.	48	132	178	178	1123, 1146	1440 Ch. 68

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3077.	49					
3078.	49					
3079.	49	146				
3079.(Sub)			252. 1643	252. 1651. 1980	1427.1624. 1645.1651. 1980.1987. 2021	2145 Ch. 37 E1
3080.	49					
3081.	49	305				
3081.(Sub)			637	638	1123. 1146	1439 Ch. 75
3082.	49	306	471	471	1624	
3083.	49	146	298	298	1625.2390	
3084.	49	125	190	190	1123. 1146	1439 Ch. 76
3085.	49	194.630			536	
3085.(2nd Sub)			753. 1702	753. 1702. 1790	1625.1789. 1790.1807. 1843	PV Ch. 13 E1
3086.	50	61				
3087.	50	146	339			
3087.(Sub)			339	339	1450.1497. 1598	2136 Ch. 207
3088.	50	306				
3088.(Sub)			636	636	1451.1497. 1598	2136 Ch. 208
089.	50	301	471	471	1298. 1305	Ch. 125
3090.	50	139	251. 1645	251. 1647. 1690. 2030	1456. 1624.1648. 1690.1789. 1846.1989. 2030.2133. 2135	PV Ch. 47 E1
3091.	50					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3092.	50	168				
3093.	50					
3094.	50	322				
3094.(Sub)			627	627	1277,1297	Ch. 126
3095.	50					
3096.	52	505	511	511	740, 764	789 Ch. 14
3097.	52	306	629	629	1123, 1146	1439 Ch. 77
3098.	52	194				
3098.(Sub)			521	521	1625	
3099.	52	462	643	643, 1723	1625, 2390	
3100.	52	132			202	
3100.(Sub)		207				
3100.(2nd Sub)			208	211, 576	212,358, 499,526, 560,587, 595,1034	PV Ch. 12
3101.	52	578				
3101.(Sub)			859	862	1528,1572, 1612	1856 Ch. 160
3102.	53					
3103.	53	182				
3103.(Sub)			553	553	1625	
3104.	53	291,306, 519				
3104.(2nd Sub)			671	671	1625	
3105.	53					
3106.	53	117	177	178	1452,1497, 1598	PV Ch. 164
3107.	53	125			470	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3107.(Sub)			466	475	472,1625	
3108.	54	107	439			
3108.(Sub)			439	447	442,445, 668,705	811 Ch. 15
3109.	54	139,255			220,514	
3110.	54	367				
3110.(Sub)			475	475	1005	1307 Ch. 48
3111.	54					
3112.	55	67				
3112.(Sub)			163	166, 690	689,691, 716	850 Ch. 16
3113.	56					
3114.	56	604	873	874	1625	
3115.	56					
3116.	56	132			299	
3117.	57	155	456	456	1625	
3118.	57	168	345	345	1625	
3119.	57	269	607	608	1625	
3120.	57	133	180	180	532,537	Ch. 11
3121.	57	133	457	457	1625	
3122.	57	133				
3122.(Sub)			180	180	1625	
3123.	57	133	634	634	1457, 1501	2136 Ch. 209
3124.	57	291				
3124.(Sub)			549	549, 559	550,558, 1453,1497, 1598	2136 Ch. 210
3125.	58					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3126.	58					
3127.	58	133	276		60	
3127.(Sub)			276	276	1453,1497, 1598	2136 Ch. 211
3128.	58	67	709	709	1625	
3129.	58	269			597,723, 902	
3130.	58	134	517	517	1298,1305	Ch. 127
3131.	58	134	380	380	1625	
3132.	58	67	476	476	1625	
3133.	61	433				
3133.(Sub)			554	554	1625	
3134.	61	146	378	378	1456,1497, 1598	2136 Ch. 212
3135.	61	253	635	635	1625,1719	
3136.	61					
3137.	62	170	297	298	298,381, 448	
3138.	62					
3139.	62				448	
3140.	63	242	608	608	1277,1297	Ch. 128
3141.	63					
3142.	63	680	800	800	1454,1497, 1598	2136 Ch. 213
3143.	63	666	769	769	1625	
3144.	63	253	515	515	1123, 1146	1440 Ch. 78
3145.	63	170	553	553	1460,1568, 1599	2141 Ch. 242
3146.	63					
3147.	63					



NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3148.	63					
3149.	64					
3150.	64					
3151.	64	322				
3151.(Sub)			554, 736	736	555,668, 1277,1297	Ch. 129
3152.	64	436				
3152.(Sub)			783	783	1625	
3153.	64					
3154.	64	658				
3154.(Sub)			785	785	1625	
3155.	64	429,1440			1441	
3155.(2nd Sub)			1699	1700, 2386	2028, 2143,2337, 2386,2389, 2390	Ch. 72 E1
3156.	64	219,576				
3156.(Sub)			778	778	1460,1568, 1599	2141 Ch. 243
3157.	64					
3158.	65	576				
3158.(Sub)			635	635, 1749	1625, 2390	
3159.	65					
3160.	65	746				
3161.	65	368				
3161.(Sub)			557	588, 664	558,588, 663,1277, 1297	Ch. 130
3162.	65	188	526	526	1625,1844, 1879	2026 Ch. 25 E1
3163.	65	188				

NO.	Intro. & Committee 1st Rdg. Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3163.(Sub)		528	529, 1703, 1708,1715	1625,1703, 1708,1873, 1879	2026 Ch. 15 E1
3164.	65	125			
3164.(Sub)		483	483	1005, 1034	1307 Ch. 46
3165.	65	155	296	296	1085, 1109
3166.	68	194			1439 Ch. 79
3166.(Sub)		445	445	1457, 1501	2136 Ch. 214
3167.	68	155	297	297	1277,1297
3168.	68				
3169.	68	133	514	514, 1730	1625, 2390
3170.	68				
3171.	69				449
3172.	69	433	627	627	1123, 1146
3173.	69	604			1439 Ch. 80
3173.(Sub)		868	868, 921,1841	869,897, 902,921, 1625,1836	
3174.	69	253			
3174.(Sub)		516	516	1123, 1146	1440 Ch. 81
3175.	69	762			
3176.	70				
3177.	70				
3178.	70	254			
3178.(Sub)		515	515	1625	
3179.	70				
3180.	70				

NO.	Intro. & Committee 1st Rdg. Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3181.	70	117	278		
3181.(Sub)			278	278, 1749	1625, 2390
3182.	71	536	784	784	1368,1372, 1373,1436, 1577,1597, 1608,1613, 1620,1622 PV Ch. 157
3183.	71	436			737
3183.(Sub)			744	745	1625
3184.	71	134	179	179	1458,1568, 1599 2141 Ch. 244
3185.	71	155	465	466	1277,1297 Ch. 156
3186.	71				
3187.	71	505			74,505
3187.(Sub)	1751			1774	
3187(2nd Sub)			1803	1806	1804,1806, 2390
3188.	71	269	482	482, 1725,1877	1625,1877, 1880 2026 Ch. 22 E1
3189.	71	585			
3190.	75	308			671
3191.	75	443	504	504	1625
3192.	75	194			
3193.	75	730			902
3194.	75	308			
3194.(Sub)			863	863	1625
3195.	76	950			
3196.	76	168	494	494	1625
3197.	76	170	298		
3197.(Sub)			299	299	1085, 1109 1439 Ch. 113

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3198.	76	254	385	385	928, 939	1072 Ch. 18
3199.	76					
3200.	76					
3201.	76					
3202.	76					
3203.	76	139	341	341.342	1461.1568, 1599	2136 Ch. 215
3204.	77					
3205.	77	182				
3205.(Sub)			596	596	1625	
3206.	77	322				
3206.(Sub)			822, 879	824, 882	822.824, 879.1298, 1305	Ch. 155
3207.	77					
3208.	77	170				
3209.	77					
3210.	78					
3211.	78	147	378	378, 1058	447.1058, 1079.1085	1307 Ch. 49
3212.	78					
3213.	78					
3214.	79	194.270				
3215.	79				536	
3216.	79					
3217.	99	449				
3217.(Sub)			664	665	1461.1568, 1599	2141 Ch. 245
3218.	99					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3219.	99					
3220.	100	713				
3221.	100	306	494	494	995, 1005	1298 Ch. 34
3222.	100	433	602	603	555,1625	
3223.	100					
3224.	100	147	512	513	1557,1573, 1612	2136 Ch. 216
3225.	100	207	343			
3225.(Sub)			343	343	1625	
3226.	101	950				
3226.(Sub)			1391		1392,1579, 1592,1866, 2210,2390	
3227.	101					
3228.	101	632				
3229.	101	434				
3230.	101	382,585			448	
3230.(2nd Sub)			756	756	760,1298, 1305	Ch. 120
3231.	101	145,188, 463			608, 808	
3232.	102					
3233.	102	270	528	528	1625	
3234.	102					
3235.	102					
3236.	102					
3237.	102					
3238.	102	536				
3238.(Sub)			768	768	1625	
3239.	103	182				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3239.(Sub)			552	552	1298,1305	Ch. 132
3240.	103					
3241.	103					
3242.	103					
3243.	104	507	665	665, 670	665,670, 1625,1662	
3244.	108	924				
3244.(Sub)			1062	1063, 1723, 2212	1625, 2212,2272, 2286	Ch. 66 E1
3245.	108	381				
3245.(Sub)			500			
3245.(2nd Sub)			535	544	527,538, 1471,1477, 1490,1568, 1599	2000 Ch. 161
3246.	108					
3247.	109					
3248.	109	724			1082,1106	
3248.(Sub)			1106	1108, 1703, 1709	1625,1703, 1708,2029, 2272, 2286	Ch. 75 E1
3249.	109	713,809				
3250.	109	155	522	522	1277, 1297	Ch. 133
3251.	109	291				
3251.(Sub)			596	596	1298, 1305	Ch. 134
3252.	109	254	552	552	1277, 1297	Ch. 135
3253.	110	546				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3253.(Sub)			787	787	1427,1577, 1597,1604, 1613,1621	2141 Ch. 246
3254.	110	451				
3255.	110	156	495	495	1471,1568, 1599	2141 Ch. 247
3256.	110	169	340			
3256.(Sub)			340	340	1625	
3257.	110	519				
3258.	110	203	212	246	218,221, 232,242, 252,253, 286,323, 325,326, 344,358, 364,369	PV Ch. 7
3259.	110	306				
3259.(Sub)			650	650	1625	
3260.	110	443	555	555	1625	
3261.	111					
3262.	111	443	877	877	1625	
3263.	111	455	556	556	1625	
3264.	111	455	677	678	1625	
3265.	111	367			902	
3266.	112	436				
3266.(Sub)			582, 1648	582, 1650	1474,1476, 1624,1731, 1771	1856 Ch. 3 El
3267.	112	519				
3267.(Sub)			772	773,1716	1625	
3268.	112					
3269.	112					
3270.	112					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3271.	113					
3272.	113	477			593	
3272.(Sub)		926				
3272.(2nd Sub)			1077	1078, 1635, 1828	1625,1828, 1844, 1879	2026 Ch. 16 E1
3273.	113	611				
3273.(Sub)			870, 1703	871, 1782, 1870	1625,1706, 1780,1870, 1880	2026 Ch. 19 E1
3274.	113					
3275.	113					
3276.	113	455				
3276.(Sub)			583	583	1625	
3277.	113	207				
3277.(Sub)			379	379	1625	
3278.	113					
3279.	113					
3280.	113					
3281.	114					
3282.	114	147	278	278	1085, 1109	1439 Ch. 82
3283.	118					
3284.	118					
3285.	118					
3286.	118					
3287.	118					
3288.	118					
3289.	118	546				
3290.	119	948				



NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3290.(Sub)			1422, 1706, 2394	1423, 1707, 2394	1625,2390, 2394,2423, 2429	Ch. 2 E2
3291.	119	950				
3292.	119					
3293.	119	639				
3294.	119					
3295.	120					
3296.	120	618				
3297.	120	306	628, 712	713	629, 1430,1497, 1598	2141 Ch. 248
3298.	120					
3299.	120	487				
3299.(Sub)			700	700	1483,1568, 1599	1753 Ch. 158
3300.	120	478			707	
3301.	120					
3302.	121					
3303.	121					
3304.	121					
3305.	121					
3306.	121	301	551	551	1625	
3307.	121					
3308.	121	656				
3308.(Sub)			804	805	1486,1568, 1599	2141 Ch. 249
3309.	121	427	766	767, 1729	1625, 2391	
3310.	121	291	626	626	1625	
3311.	122	658				

NO.	Intro. & Committee 1st Rdg. Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.	
3311.(Sub)		719, 1710	719, 1711,1878	1625,1878, 1880	2026 Ch. 23 E1	
3312.	122					
3313.	122					
3314.	122	147	342	342, 1698	1625,1782, 1807	2000 Ch. 6 E1
3315.	122					
3316.	123					
3317.	123					
3318.	123					
3319.	126					
3320.	126					
3321.	126					
3322.	126					
3323.	126					
3324.	126					
3325.	126					
3326.	126					
3327.	126					
3328.	126					
3329.	129					
3330.	126					
3331.	127					
3332.	127					
3333.	127					
3334.	127					
3335.	127					
3336.	127					
3337.	127					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3338.	127					
3339.	127					
3340.	127					
3341.	127					
3342.	127					
3343.	127					
3344.	127					
3345.	128					
3346.	128					
3347.	128					
3348.	128					
3349.	128					
3350.	128					
3351.	128					
3352.	128					
3353.	128					
3354.	128					
3355.	128					
3356.	128					
3357.	128					
3358.	128					
3359.	128					
3360.	129					
3361.	129					
3362.	129					
3363.	129	195	377	377	1487,1568, 1599	2141 Ch. 250

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3364.	129	308	495	495	1123, 1147	1439 Ch. 83
3365.	129					
3366.	129					
3367.	129					
3368.	129					
3369.	129					
3370.	130					
3371.	130					
3372.	130	308				
3372.(Sub)			588	589, 1725	1625,1782, 1807	2000 Ch. 8 E1
3373.	130					
3374.	130					
3375.	130	444				
3376.	130	666	770	770	1625	
3377.	130					
3378.	130					
3379.	131	192	345	345, 1726	1625, 2391	
3380.	131	586				
3380.(Sub)			887	888	1079, 1085	1307 Ch. 50
3381.	131					
3382.	135	576				
3382.(Sub)			783	783, 1059	1059, 1626	
3383.	135	451	589	590	1079, 1085	1307 Ch. 51
3384.	135					
3385.	135					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3386.	135	436	496	496	1626	
3387.(Sub)	135	437	727	727, 1727	1626, 2391	
3388.	135					
3389.	135	692				
3389.(Sub)			832	835	835	
3390.	136	219	458	458, 1730, 1847	1626, 1847,1860, 1879	2026 Ch. 24 E1
3391.	136					
3392.	136	437	649	652	650,652, 1477,1568, 1599	2137 Ch. 217
3393.	136	203	344	344	1528,1601, 1612	2136 Ch. 218
3394.	136	611				
3395.	136	680				
3395.(Sub)			767	767	1626	
3396.	136					
3397.	136					
3398.	136					
3399.	136					
3400.	137					
3401.	137					
3402.	137					
3403.	137					
3404.	137					
3405.	137					
3406.	137					
3407.	137					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3408.	137	437	644	644	1626	
3409.	140					
3410.	142				150	
3411.	142					
3412.	143	434	590	590	1626	
3413.	143	463	590	590, 1723	1626,1987, 2021	2145 Ch. 38 E1
3414.	143	203				
3414.(Sub)			484	487	486,487, 1626	
3415.	143	501			902	
3416.	143	204	492	499	1480,1568, 1598	2000 Ch. 163
3417.	143	434	591	591	150,1626	
3418.	143					
3419.	143					
3420.	144					
3421.	144					
3422.	148	434	591	591	1626	
3423.	148	449				
3424.	148	604	640	641	1626	
3425.	148					
3426.	148	437	496	496	1386, 1501	2141 Ch. 251
3427.	148	444	808	809	787,1626	
3428.	148					
3429.	148	576			902	
3430.	149					
3431.	149					
3432.	149					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3433.	149	255			608	
3433.(Sub)			616	616	1530,1600, 1613,1621	PV Ch. 169
3434.	149	604				
3434.(Sub)			782, 1653	782, 1662	1530,1573, 1574,1624, 1653,1660, 2009,2010, 2187,2280, 2293,2307 2345	
3435.	150					
3436.	150					
3437.	150	546	719	720	1626	
3438.	150	428	629	630	1626	
3439.	150					
3440.	150					
3441.	152					
3442.	152	451	592	592	1482,1568, 1598	2136 Ch. 219
3443.	152					
3444.	153					
3445.	153	501				
3446.	153					
3447.	153	451	650	650	1626	
3448.	153	546	642	642	1457, 1501	2136 Ch. 220
3449.	153	618	721	721	1626	
3450.	153					
3451.	153					
3452.	153					
3453.	153	546				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3453.(Sub)			738	738	1487,1568, 1598	2136 Ch. 221
3454.	153	604			673	
3455.	154	322				
3455.(Sub)			761	761	1626	
3456.	154					
3457.	154					
3458.	154	747			455,878, 902	
3459.	156					
3460.	156					
3461.	156					
3462.	156					
3463.	156					
3464.	157					
3465.	157					
3466.	157					
3467.	157					
3468.	157					
3469.	157					
3470.	157					
3471.	157					
3472.	157					
3473.	157					
3474.	157					
3475.	157	219	492	503	492,502, 1626,2391	
3476.	157	692				
3477.	158					



NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3478.	158					
3479.	158				449	
3480.	158	739				
3480.(Sub)			810	810	1488,1568, 1598	2141 Ch. 252
3481.	158					
3482.	158					
3483.	159	714				
3483.(Sub)			810	810	1457, 1501	2141 Ch. 253
3484.	159					
3485.	159	731				
3486.	159				166	
3487.	170					
3488.	171	429,1751			603	
3489.	171				246,247	
3490.	171	612				
3490.(Sub)			726, 1653	726, 1654, 1981	1531, 1553,1624, 1981,1987, 2021	2145 Ch. 39 E1
3491.	171	658			902	
3492.	171	477	587	587	1488,1568, 1598	2137 Ch. 166
3493.	171					
3494.	171	692				
3494.(Sub)			770	770	1386, 1501	2141 Ch. 254
3495.	171					
3496.	171					
3497.	172	322				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3497.(Sub)			615	615	1490,1568, 1598	2142 Ch. 237
3498.	172					
3499.	172	691			902	
3500.	172					
3501.	172	452	725	725	1386, 1501	2137 Ch. 222
3502.	172				246,247	
3503.	172	520,1104				
3504.	173	612			181	
3504.(Sub)			1062	1062, 1730	1626, 2391	
3505.	173				181	
3506.	176					
3507.	176	444	807	807, 1635	1435,1624, 2391	
3508.	184					
3509.	184					
3510.	184				455	
3511.	184	666				
3511.(Sub)			808	808	1005, 1034	1307 Ch. 47
3512.	184				246,247	
3513.	184					
3514.	184	739			728	
3515.	185					
3516.	185	547			246,247	
3516.(Sub)			648	648, 1060	1060,1079, 1085	1307 Ch. 52
3517.	186	1440				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3518.	186					
3519.	186	487,632	812	812, 1635	1626, 1638,1662, 1731	1843 Ch. 1 E1
3520.	186	536			288	
3520.(Sub)			648	648, 1636	1534, 1535,1574, 1575,1624, 1741,1791, 1830,1882, 1951	2133 Ch. 30 E1
3521.	187	531	655	655	1626	
3522.	187	536				
3522.(Sub)			656	656	1457, 1501	2137 Ch. 223
3523.	187	381	652, 723	723	1496,1568, 1598	2142 Ch. 255
3524.	187	381				
3524.(Sub)			653	653	1626	
3525.	187	381	497	497	1627	
3526.	187	382	621	622	1626	
3527.	187	368	622	623	1626	
3528.	187	507	660	660	1626	
3529.	187	368	503	503	1626	
3530.	187	368	661	661	1626	
3531.	193	430	621	621	1457, 1501	2142 Ch. 256
3532.	193	430	508	508	1457, 1501	2137 Ch. 224
3533.	193	724				
3534.	193	714				
3535.	193	385	661	661	1457, 1501	2142 Ch. 257
3536.	193					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3537.	193	531	864	865	1386. 1501	2142 Ch. 258
3538.	193	254				
3538.(Sub)			509	509, 1717	1626,1807, 1843	PV Ch. 14 E1
3539.	193	577				
3539.(Sub)			908	908, 1718	1626, 2391	
3540.	197					
3541.	197					
3542.	197					
3543.	197					
3544.	197					
3545.	197					
3546.	197					
3547.	197					
3548.	197					
3549.	197					
3550.	197					
3551.	197					
3552.	197					
3553.	197					
3554.	198					
3555.	198					
3556.	198					
3557.	198					
3558.	198					
3559.	198					
3560.	198					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3561.	198					
3562.	198					
3563.	198					
3564.	198					
3565.	198					
3566.	198					
3567.	198					
3568.	198					
3569.	199					
3570.	199					
3571.	199					
3572.	199					
3573.	199					
3574.	199					
3575.	199					
3576.	199					
3577.	199					
3578.	199					
3579.	199					
3580.	199					
3581.	199					
3582.	200					
3583.	200					
3584.	200				202	
3585.	200	449	651	651	1457. 1501	2142 Ch. 259
3586.	200	520	662	662	1626	
3587.	200					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3588.	200	434	509	509	1123, 1147	1439 Ch. 84
3589.	200	490				
3589.(Sub)			700	700	1626,1662	
3590.	200					
3591.	200					
3592.	200					
3593.	200	612			902	
3594.	201					
3595.	204	586				
3595.(Sub)			794	794	1497,1568, 1598	2142 Ch. 260
3596.	204					
3597.	204				673	
3598.	205,248					
3599.	205					
3600.	205					
3601.	205				220	
3602.	205					
3603.	205	630				
3604.	205					
3605.	205	639	825	825, 1713	835,1626, 1713,1721	
3606.	205					
3607.	206					
3608.	206	747				
3608.(Sub)			886	886, 929, 1802	886, 931, 1626,1774	
3609.	206				477	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3610.	206					
3611.	206					
3612.	228					
3613.	228	666	771	771	939, 952	1085 Ch. 20
3614.	228	666				
3614.(Sub)			786	786	1499,1592, 1600	2142 Ch. 261
3615.	228					
3616.	228	594				
3616.(Sub)			806	806	1626	
3617.	229	639				
3617.(Sub)			768	768, 801	768, 1626	
3618.	229					
3619.	229					
3620.	229	762			990	
3621.	229					
3622.	229	586				
3622.(Sub)			707	707	1626	
3623.	229					
3624.	230	529,950				
3624.(2nd Sub)			1153	1170, 1713, 1995	1161,1168, 1169,1626, 1995,2000, 2021	2145 Ch. 40 E1
3625.	230					
3626.	230					
3627.	231	307			307	
3628.	231	449				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3628.(Sub)			660	660, 1699, 1701,1881	1626,1701, 1881,1882, 1951	2133 Ch. 31 E1
3629.	231	692				
3629.(Sub)			878	879		
3630.	231	368				
3630.(Sub)			510	510	1535,1601, 1612	2142 Ch. 262
3631.	248					
3632.	249					
3633.	249					
3634.	249					
3635.	249					
3636.	249	487	842	845	1626	
3637.	249	520				
3637.(Sub)			669	669	1500,1592, 1600	2142 Ch. 263
3638.	249					
3639.	250	556			902	
3640.	250	632				
3640.(Sub)			722	722	1435,1577, 1593,1603, 1613,1621	2142 Ch. 264
3641.	250	605			902	
3642.	250	747				
3642.(Sub)			847	847	1500,1592, 1600	2142 Ch. 265
3643.	250					
3644.	250	645	794	794	1456, 1501	2142 Ch. 266
3645.	250	464				



NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3645.(Sub)			699	699	1005, 1034	1307 Ch. 35
3646.	251	507				
3646.(Sub)			776	776	1456, 1501	2142 Ch. 267
3647.	251	501	670	670, 1726	1626, 2391	
3648.	256					
3649.	256					
3650.	256					
3651.	257					
3652.	257					
3653.	257					
3654.	258					
3655.	258	437	609	609, 616	1277, 1297	Ch. 154
3656.	258					
3657.	258	443				
3657.(Sub)			510	510	1504,1592, 1600	2142 Ch. 268
3658.	258					
3659.	260					
3660.	260	714				
3660.(Sub)			884, 1713	885, 1722, 1983	1626,1715, 1721,1971, 1983,1989, 2021	2145 Ch. 41 E1
3661.	260					
3662.	260					
3663.	261					
3664.	261	692				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3664.(Sub)			883	883	1456. 1501	2142 Ch. 269
3665.	261					
3666.	261					
3667.	261					
3668.	261					
3669.	261					
3670.	261					
3671.	261					
3672.	261					
3673.	261					
3674.	261	452	619	621	1535,1601, 1613	2142 Ch. 270
3675.	261					
3676.	261					
3677.	261					
3678.	262					
3679.	262					
3680.	262					
3681.	262					
3682.	262					
3683.	262					
3684.	262					
3685.	262					
3686.	262					
3687.	262					
3688.	262					
3689.	262					
3690.	262					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3691.	262					
3692.	263					
3693.	263					
3694.	263	691				
3694.(Sub)			890	890, 895	895, 1626	
3695.	263					
3696.	263					
3697.	263					
3698.	263					
3699.	263					
3700.	263					
3701.	263	691			39	
3702.	263					
3703.	263					
3704.	263					
3705.	263					
3706.	263					
3707.	264					
3708.	264					
3709.	264					
3710.	264					
3711.	264					
3712.	264					
3713.	264					
3714.	264					
3715.	264					
3716.	264					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3717.	264					
3718.	264					
3719.	264					
3720.	264					
3721.	265					
3722.	265	762,932	1633			
3722.(2nd Sub)			1633	1634	2391	
3723.	265					
3724.	265					
3725.	265					
3726.	265					
3727.	265					
3728.	265					
3729.	265					
3730.	265					
3731.	265					
3732.	265					
3733.	265					
3734.	265					
3735.	265					
3736.	266					
3737.	266					
3738.	266					
3739.	266	640				
3739.(Sub)			811	813	811,813, 1626	
3740.	266	594				
3740.(Sub)			797	797	1626	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3741.	266	501				
3741.(Sub)			683	683	1626	
3742.	270	667			275	
3742.(Sub)			778	778	1277,1297	Ch. 136
3743.	270					
3744.	270					
3745.	271					
3746.	271					
3747.	271					
3748.	271	701			830	
3749.	271					
3750.	271		2129	2131	2129,2220, 2295,2391	
3751.	271					
3752.	271					
3753.	271					
3754.	271					
3755.	272					
3756.	272					
3757.	272	437				
3757.(Sub)			696	697	1456, 1501	2142 Ch. 236
3758.	272	640				
3758.(Sub)			733	733	1626	
3759.	272					
3760.	272, 275	605	919	920, 1841	902,920, 1626,1774, 2138	2296 Ch. 51 E1
3761.	273	739				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3762.	273					
3763.	273	667	872	872	1456, 1501	2142 Ch. 271
3764.	273					
3765.	286					
3766.	287	714				
3766.(Sub)			814, 1763	815, 1768	1431,1624, 1765,1767, 1829,2391	
3767.	287					
3768.	287	578,714			456	
3768.(2nd Sub)			866, 1717	866, 1717	1626, 2391	
3769.	287					
3770.	287					
3771.	287					
3772.	287				299	
3773.	287	437	626		627,808	
3774.	288					
3775.	288					
3776.	288					
3777.	288	520	677	677	1626	
3778.	291	586				
3779.	291					
3780.	292	1440			295	
3780.(Sub)			1834, 2345	1835, 2361	1774,1834, 2323,2389, 2390	Ch. 67 E1
3781.	292					
3782.	293	605				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3782.(Sub)			751	752	753,1509. 1592,1600	2142 Ch. 232
3783.	293	658			902	
3784.	293	547	647	647	1626,1782. 1807	2000 Ch. 7 E1
3785.	293					
3786.	293					
3787.	293					
3788.	293					
3789.	293					
3790.	293					
3791.	294					
3792.	294					
3793.	294					
3794.	294					
3795.	294					
3796.	294					
3797.	294					
3798.	294					
3799.	294					
3800.	294	724				
3800.(Sub)			837	837, 1726	1626, 2391	
3801.	294					
3802.	294					
3803.	294					
3804.	294					
3805.	294					
3806.	295					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3807.	295					
3808.	295					
3809.	295					
3810.	301					
3811.	301	741				
3811.(Sub)			856	857	1513,1592, 1600	2137 Ch. 225
3812.	302	741				
3812.(Sub)			853	853	1456, 1501	2142 Ch. 272
3813.	302	490			902	
3814.	302	605				
3814.(Sub)			754	755, 1724	1626, 2391	
3815.	302	667,809				
3816.	302					
3817.	302	714				
3817.(Sub)			811, 1765	814, 1767, 1990	811,814, 1432,1624, 1830,1887, 1990,2000, 2021	2145 Ch. 42 E1
3818.	302					
3819.	302	948				
3820.	303					
3821.	303					
3822.	303					
3823.	303					
3824.	304					
3825.	304					
3826.	304					



NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3827.	304	478			808	
3828.	304					
3829.	304					
3830.	305					
3831.	305					
3832.	305					
3833.	309	625				
3834.	309	1770	1818	1819	1771,2391	
3835.	309	594				
3836.	309	625				
3837.	309					
3838.	309	578			865	
3838.(Sub)		1151	1720	1776	1441,1721, 1775,1776, 1780,2391	
3839.	309					
3840.	310	618	780	780	1386, 1501	2137 Ch. 226
3841.	310					
3842.	310					
3843.	310	586	749	749	1514,1592, 1600	2142 Ch. 273
3844.	310					
3845.	310					
3846.	311	579	682	693	683,693, 1518,1592, 1600	2142 Ch. 274
3847.	311	586	761	761	1626	
3848.	311					
3849.	311	625				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3850.	311	632, 1770	1810	1815	1771,1811, 1814,2391	
3851.	311					
3852.	311					
3853.	311					
3854.	312					
3855.	312					
3856.	312	547				
3856.(Sub)			733, 1655	733, 1656	1436, 1624,1731., 1771	1856 Ch. 4 E1
3857.	312	556	878	878	1536,1601, 1613	PV Ch. 238
3858.	312	701	776	777, 1639, 2301	1519,1526, 1624,1742, 1786,1872, 1982,2025, 2301,2307, 2323	Ch. 68 E1
3859.	312					
3860.	312					
3861.	313					
3862.	313					
3863.	313					
3864.	313	633				
3864.(Sub)			742, 1777	742, 1779, 2144	1626, 1754,1777, 1997,2022, 2029,2144, 2145	Ch. 73 E1
3865.	313					
3866.	313	633				
3866.(Sub)			743	743	1626	
3867.	313					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3868.	313	625				
3868.(Sub)			743	743	1626	
3869.	313					
3870.	313					
3871.	313					
3872.	313					
3873.	313	667				
3873.(Sub)			830	830	1626	
3874.	313					
3875.	313					
3876.	314					
3877.	314					
3878.	314					
3879.	314					
3880.	314	724				
3880.(Sub)			895	931	897,1520, 1592,1600	2142 Ch. 275
3881.	314					
3882.	314	1069				
3883.	314					
3884.	314					
3885.	314					
3886.	314					
3887.	314					
3888.	314					
3889.	314					
3890.	315	520			902	
3891.	315					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amendments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3892.	315					
3893.	315					
3894.	315					
3895.	315					
3896.	315					
3897.	315					
3898.	315					
3899.	315					
3900.	315					
3901.	315	747				
3901.(Sub)			868		868,902	
3902.	315	645			830	
3903.	328					
3904.	328					
3905.	328				505	
3906.	328					
3907.	328					
3908.	328					
3909.	329		2067, 2395	2128, 2132, 2418, 2421,2423	2067,2097, 2129,2131, 2384,2422, 2429	PV Ch. 3 E2
3910.	329		2023	2025	2022,2391	
3911.	329					
3912.	329					
3913.	329					
3914.	329					
3915.	329					
3916.	329					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3917.	329					
3918.	329					
3919.	329					
3920.	329					
3921.	329					
3922.	329					
3923.	330					
3924.	330					
3925.	330					
3926.	330					
3927.	330					
3928.	330					
3929.	330					
3930.	330					
3931.	330					
3932.	330					
3933.	330					
3934.	330					
3935.	330					
3936.	330					
3937.	330					
3938.	331					
3939.	331					
3940.	331					
3941.	331					
3942.	331					
3943.	331					
3944.	331					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3945.	331					
3946.	331					
3947.	331					
3948.	331					
3949.	331					
3950.	331					
3951.	331					
3952.	332					
3953.	332					
3954.	332	704				
3955.	332	704				
3955.(Sub)			1323	1323	1324,1626	
3956.	332					
3957.	332					
3958.	332					
3959.	332					
3960.	332					
3961.	332					
3962.	332					
3963.	332					
3964.	332					
3965.	332					
3966.	332					
3967.	333					
3968.	333					
3969.	333					
3970.	333					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3971.	333					
3972.	333					
3973.	333	1084				
3974.	333					
3975.	333					
3976.	333					
3977.	333	605			902	
3978.	333	505				
3978.(Sub)			655,690		784	
3979.	334					
3980.	334					
3981.	334	645	915	915,1727	1626	
3982.	334	701				
3982.(Sub)		937	1719	1719	944,2391	
3983.	334					
3984.	334	701				
3984.(Sub)			779	779	1626	
3985.	334	605	869	869,1732	1627	
3986.	334					
3987.	335				449	
3988.	335					
3989.	335				455	
3990.	335					
3991.	335	704	816	817	1277,1297	Vetoed
3992.	335					
3993.	335	478	607	607, 1061	1061,1079, 1085	1307 Ch. 53
3994.	335					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3995.	335					
3996.	337					
3997.	337					
3998.	337					
3999.	337					
4000.	337	610	610			
4000.(Sub)			610	610	611,673	
4001.	337					
4002.	337					
4003.	337					
4004.	337					
4005.	338					
4006.	338					
4007.	338	1783			1784	
4007.(Sub)			1836	1836, 2196	2196,2272, 2286	Ch. 69 E1
4008.	338					
4009.	338					
4010.	370	625	749	749	1627	
4011.	370					
4012.	370					
4013.	370					
4014.	370					
4015.	371	536				
4015.(Sub)			855	855	1627	
4016.	371					
4017.	371				593	
4018.	372	529	695	695	1627	



NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
4019.	372	701				
4019.(Sub)			845	845		
4020.	372					
4021.	372	520	695	695	1123, 1146	1440 Ch. 85
4022.	372	594				
4022.(Sub)			669	669	1005, 1034	1307 Ch. 36
4023.	372					
4024.	372					
4025.	372					
4026.	372					
4027.	373	747				
4028.	373					
4029.	373					
4030.	373					
4031.	373	748				
4032.	373					
4033.	373	740	1030			
4034.	373	748				
4034.(Sub)			836	836	1123, 1146	PV Ch. 114
4035.	373					
4036.	373					
4037.	373					
4038.	373					
4039.	374					
4040.	374					
4041.	374					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
4042.	374					
4043.	374				1759,1760	
4044.	374					
4045.	374					
4046.	374					
4047.	374					
4048.	374					
4049.	374					
4050.	374					
4051.	374					
4052.	374					
4053.	374					
4054.	375					
4055.	375	702				
4055.(Sub)			1063	1063, 1718	1627, 2391	
4056.	375					
4057.	375					
4058.	375					
4059.	375	1751			1754	
4059.(Sub)			1760	1760, 2197	2197,2272, 2286	Vetoed
4060.	375					
4061.	375					
4062.	375					
4063.	375	1752			1754	
4063.(Sub)			1760	1760	2391	
4064.	375					
4065.	375					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amendments	3rd Rdg. Final Passage	Other Action	Action by Gov.
4066.	375	740				
4066.(Sub)			795	795	1556,1592, 1600	2137 Ch. 227
4067.	375					
4068.	376					
4069.	376	631				
4070.	376					
4071.	376					
4072.	376					
4073.	376					
4074.	376					
4075.	376					
4076.	376					
4077.	376					
4078.	376					
4079.	391	731	826	839	829,838, 1627	
4080.	391					
4081.	391					
4082.	391	667	776	776	1522,1592, 1600	2142 Ch. 276
4083.	391					
4084.	391	619				
4084.(Sub)			784	785	1627	
4085.	391					
4086.	391	667				
4087.	392					
4088.	392	478	623	623	1523,1592, 1600	1843 Ch. 159

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
4089.	392	547	746	746. 1718	1627,1719, 1722	
4090.	392	702				
4090.(Sub)			821	821	1627	
4091.	392					
4092.	392	645				
4092.(Sub)			866	867	1553,1601, 1613	Vetoed
4093.	392	702	888	890,968	1627	
4094.	392	640			808	
4095.	393	740			902	
4096.	393					
4097.	383					
4098.	393					
4099.	399	1001				
4099.(Sub)			1315	1316, 1786	1627, 2391	
4100.	400					
4101.	404	714				
4101.(Sub)			871	872	1498,1568, 1599	2137 Ch. 228
4102.	404	633,1440			1441	
4102.(2nd Sub)			1724	1724, 2332	2332,2389, 2390	Ch. 74 E1
4103.	404	702	857	858	1523,1592, 1600	2137 Ch. 229
4104.	404					
4105.	404	547	750	750	1627	
4106.	404	731			902	
4107.	404	731				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
4107.(Sub)			782	782	1456, 1501	2142 Ch. 277
4108.	405					
4109.	405					
4110.	405	646	775	775	1627	
4111.	406	702				
4111.(Sub)			772	772	1627	
4112.	406	520	698	698	1524,1592, 1600	2142 Ch. 278
4113.	406	501			707,902	
4114.	406					
4115.	406					
4116.	406					
4117.	406					
4118.	406					
4119.	406					
4120.	406					
4121.	407					
4122.	407					
4123.	407					
4124.	407					
4125.	407					
4126.	407					
4127.	407					
4128.	407					
4129.	407					
4130.	407					
4131.	407					
4132.	407					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
4133.	407					
4134.	407					
4135.	407	667				
4135.(Sub)			856	856	1387, 1501	2142 Ch. 279
4136.	408					
4137.	408	668			784	
4137.(Sub)			841	841, 1639, 1884	1434, 1624,1744, 1787,1840, 1884,1951, 1979	2296 Ch. 52 Et
4138.	408					
4139.	408				1294	
4140.	408					
4141.	408	725			729,734	
4142.	408					
4143.	408					
4144.	409	529			808	
4145.	409	702	857	857	1627	
4146.	409					
4147.	410					
4148.	410					
4149.	410					
4150.	410					
4151.	410					
4152.	410					
4153.	410	605	803	804	1525,1592, 1600	2137 Ch. 230
4154.	410					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
4155.	410					
4156.	410	502	623	624	1457. 1501	2142 Ch. 280
4157.	411	658				
4158.	411	715			449	
4158.(Sub)			1727	1728	2391	
4159.	411					
4160.	411	656			710	
4161.	411					
4162.	411					
4163.	411					
4164.	413	680				
4164.(Sub)			876	876	1627	
4165.	413					
4166.	414				673	
4167.	414	718			830	
4168.	414					
4169.	414					
4170.	414	691				
4171.	414					
4172.	414					
4173.	414					
4174.	415	715	863	863	1627	
4175.	415					
4176.	415					
4177.	415					
4178.	415					
4179.	415					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
4180.	415					
4181.	416					
4182.	416					
4183.	416				503,504	
4184.	416					
4185.	416					
4186.	416					
4187.	416					
4188.	416					
4189.	416					
4190.	416					
4191.	416					
4192.	416					
4193.	416					
4194.	417					
4195.	417					
4196.	417	937				
4197.	417					
4198.	417					
4199.	417	536				
4200.	417					
4201.	417	731				
4201.(Sub)			781	781	1277,1297	Ch. 137
4202.	417	547	798	799	448,1627	
4203.	418					
4204.	418	657	768	769	1567,1592, 1600	PV Ch. 235
4205.	418	537	751	751	1005, 1034	1307 Ch. 54



NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
4206.	418	640				
4207.	418					
4208.	418					
4209.	418				470	
4210.	418					
4211.	418					
4212.	419					
4213.	419				455	
4214.	419	668,809				
4215.	419					
4216.	419					
4217.	419					
4218.	419					
4219.	419	748			902	
4220.	420	747			902	
4221.	420	740				
4222.	420					
4223.	420					
4224.	420					
4225.	420					
4226.	420	548				
4226.(Sub)			693	693	1525,1592, 1600	2142 Ch. 281
4227.	420					
4228.	420	762				
4229.	420					
4230.	420					
4231.	421					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
4232.	421	1070				
4233.	421					
4234.	421					
4235.	421	702				
4236.	421	1030				
4237.	421	479	624	624	1627	
4238.	421					
4239.	421					
4240.	422					
4241.	422					
4242.	422					
4243.	422					
4244.	422	763				
4245.	422	612				
4245.(Sub)			840, 2293	840, 1634, 2301	1627,1972, 2292,2295, 2301,2389, 2390.	Ch. 70 E1
4246.	422					
4247.	422	748			448,902	
4248.	422					
4249.	422					
4250.	423					
4251.	423	718				
4251.(Sub)			1007	1029	1028,1627	
4252.	423	748			448	
4253.	423					
4254.	423				578	
4255.	423					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
4256.	423					
4257.	423					
4258.	423					
4259.	423	715				
4259.(Sub)			858	858	1627	
4260.	424					
4261.	424					
4262.	424					
4263.	424					
4264.	424					
4265.	424					
4266.	424					
4267.	424					
4268.	424					
4269.	425					
4270.	425					
4271.	425					
4272.	425					
4273.	425					
4274.	425					
4275.	425					
4276.	425					
4277.	425					
4278.	426					
4279.	2434		2434	2434	2440	2441 Ch. 1 E3

## HISTORY OF SENATE JOINT MEMORIALS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
101.	54					
102.	114					
103.	144					
104.	154	204	461	462	1627	
105.	188					
106.	206	434	456	456	434,633, 646	
107.	206					
108.	251					
109.	305	479				
110.	305	731	848	848	1457,1501	
111.	318					
112.	318	668				
112.(Sub)			777	777,1754	1627,2391	
113.	376					
114.	426					
115.	426					
116.	426	579	647	647	1571,1613	
117.	426					
118.	426	668	917	917	1457,1501	
119.	426					
120.	426	725	918	918	902,1627	
121.	426	612	760	760	1627	

HISTORY OF SENATE JOINT RESOLUTIONS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
101.	19					
102.	19					
103.	55					
103.(Sub)		67	160	162, 685	685,691, 716	
104.	58					
105.	65	133	177	177	1457,1501	
106.	79					
107.	79					
108.	104	254				
108.(Sub)			801	802	802,830, 831,902	
109.	104					
110.	114					
111.	114					
112.	114	169				
112.(Sub)			522	522	1520,1592, 1600	
113.	114	1369			455	
114.	123					
115.	137	270				
116.	137					
117.	159					
118.	159				166	
119.	188	455				
119.(Sub)			697	698, 882	698,711, 1627	
120.	207	1084				
120.(Sub)			1684	1690, 1711	1690,1712, 1755	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
121.	295					
122.	305					
123.	318					
124.	338					
125.	426					
126.	426	748				
127.	427					
128.	427					
129.	427					
130.	427					

HISTORY OF SENATE CONCURRENT RESOLUTIONS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
101.	65		105	105	1627,1660	
102.	114	139			550	
103.	107				126,134	
104.	138					
105.	160,176, 177,181		202	202	160,220, 242	
106.	176					
107.	188	196	319 339	319, 339, 525	320,339, 524, 1627,1660	
108.	231		232		232,242, 256	
109.	338					
110.	338					
111.	338					
112.	427	715				
112.(Sub)			905	906, 1736	1627, 2391	
113.	427	748			749	
113.(Sub)			773	773, 1659, 1790	1627,1790, 1807, 1843	
114.	427					
115.	427					
116.	427	731	910	910, 1737	1627, 2391	
117.	427					
118.	851	1001	1652	1652	1694,1731	
119.	928		928	928	1627,1660	
120.	940	1070			1979	
120.(Sub)			1989	1990	2323,2331	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
121.	965		965,970, 1737	970, 1737	1627, 2391	
122.	1072		1072	1072, 1628,1638	1072,1627, 1639,2391	
123.	1125		1125	1125, 1735	1627, 2391	
124.	1126		1126	1126	1627,1660	
125.	1320		1320	1320	1321,1370	
126.	1419		1419	1419,1736	1627	
127.	1419		1420	1420, 1659	1627, 2326,2331	
128.	1691		1691	1691	2391	
129.	1691		1691	1691	2391	
130.	1692		1692	1692, 2307	2307,2324, 2331	
131.	1692		1692	1692	2391	
132.	1694				1837	
133.	1771		1771	1771	2391	
134.	1844		1844	1844	2391	
135.	1978		1978	1978	1978	
136.	2440		2440	2440	2440,2441	



## HISTORY OF SENATE FLOOR RESOLUTIONS

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
1. Senators Bottiger, Fleming, Hayner and Jones: Notifying House that Senate is organized.		8	
2. Senators Bottiger, Fleming and Jones: Courtships extended to all former Presidents, Members and Secretaries.		9	
3. All Members: Honoring Governor of Oregon, Tom McCall.		43	
4. All Members: Commending Grant County and others for development of energy conservation program.		59	
5. Senators Fleming, McDermott, Goltz, Patterson, McManus, McCaslin, Bluechel, Benitz, Bottiger, Fuller, Vognild, Peterson, Bender, Hansen, Granlund, Thompson, Owen, Moore, Warnke, Rinehart, Gaspard, Metcalf, Williams, Shinpoch, Wojahn, Talmadge, Bauer, Hemstad, Hayner, Kiskaddon and Zimmerman: Honoring Martin Luther King, Jr.		60	
6. Senators Goltz and Talmadge: Permanent Rules of the Senate for 48th Legislature.	79	105	
7. All Members: Recognizing Eunice Cole, President, American Nurses Association.		116	
8. All Members: Honoring Claude Richmond, member of British Columbia Legislature.		124	
9. Senators Rasmussen, Patterson, Fleming, Granlund, Gaspard, Newhouse, Guess, Wojahn, Rinehart, McDermott, Fuller, McManus, Benitz, Conner, von Reichbauer, Bauer, Moore, Goltz, Thompson, Barr, Pullen, Bluechel, Hurley, Warnke, Talmadge, Woody, Bender, Vognild, Williams, Shinpoch, Hansen, Jones, Metcalf and Craswell: DOP Salary Report.		613	
10. Senators Newhouse, Deccio, Hansen, Sellar, Benitz, Barr and Zimmerman: Thanks to Apple Farmers.		220	
11. All Members: 100th Birthday honoring Ida Agatha Platte Hansen.		189	
13. Senator Gaspard: Honoring Rhonymous Nix family.		241	
14. All Members: Dedication of Pantages Theatre for Performing Arts.		267	
15. Senators Shinpoch, Williams and Rasmussen: Commemorating Porcelain Art Month.		2012	
16. All Members: Condolences to Dr. Barney Clark family.		730	

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
17. Senators Conner and Owen: Toll on Hood Canal Bridge.		1662	
18. All Members: Commending Jobfinder Telethon.		835	
19. Senators McManus, Fleming, Deccio, Talmadge and Granlund: Child Protective Services Study.		1976	
22. All Members: Honoring Crew Members of Americus and Altair--two Anacortes-based Crabbing Vessels.		674	
23. Senators Bottiger, Gaspard and Warnke: Congratulating Orting Cardinals Basketball Team.		2013	
24. All Members: Honoring Auburn Girls Basketball Team.		711	
25. Senators Patterson, McManus, Warnke, Bottiger, Jones, Sellar, Owen, Quigg, Newhouse, Pullen, Vognild, Zimmerman, Barr, Lee, Benitz, Rinehart, Gaspard, Fleming, von Reichbauer, McDermott and Guess: Honoring Washington State University Basketball Team.		2013	
26. All Members: Commending Washington State Community College system.		710	
28. Senators Wojahn and Hayner: Congratulating Womens Marathon.		2014	
29. All Members: Congratulating Rosalynn Sumners, World Figure Skating Champion.		965	
30. Senators Pullen, Owen, Lee, von Reichbauer, Talmadge, Kiskaddon, Moore and Shinpoch: Honoring King County Outdoor Sports Council.		2297	
31. All Members: Honoring Onalaska Boys Basketball Team.		906	
33. All Members: Memory of former American Prisoners of War, MIAS and their families.		945	
34. All Members: Proclaiming Womens Army Corps Day.		2014	
35. Senator Owen: Arbor Day.		1009	
38. Senators Rasmussen and Haley: LBC - Investigate Lakewood/Parkland Sewer Project.		2149	
39. Senators Warnke and Pullen: Support of Logging and Timber Industry.		1663	
40. Senators Vognild, Bottiger, Rasmussen, Wojahn, Goltz, Bender, Woody and Hughes: Support of HR 1646, Railroad Retirement Solvency Act of 1983.		2015	

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
41. Senators Hemstad and Fuller: Welcoming the Captain and Crew of the Submarine Olympia.		1310	
42. Senators McDermott, Pullen, Fleming and Talmadge: Honoring Chess Player, Yasser Seirawan.		2015	
43. Senators Haley, Rasmussen, Metcalf, Bluechel, Deccio, McCaslin, Craswell, Zimmerman, Granlund, von Reichbauer, McManus, Hurley, Hayner, Pullen, Quigg, Sellar and Jones: National Organ Donation Awareness Week.		1663	
47. Senators McManus, McDermott and Hemstad: Study by Council for Postsecondary Education.		2016	
57. Senators Vognild and Quigg: Special Committee to Investigate Arson.		2017	
63. Senators Bottiger, Hayner and Jones: Committee to adjourn SINE DIE.		1621	
65. Senators Bottiger, Fleming, Hayner and Jones: Officers and Committee Members continue thru Special Session.		1630	
66. Senators Bottiger, Fleming, Hayner and Jones: Notifying House that Senate is ready to transact business.		1630	
67. Senators Bottiger, Fleming, Vognild, Jones, Clarke and Hayner: Amending Rule 28.		1630	
69. Senators Haley and Bottiger: American Lake Cleanup.		2017	
70. All Members: American Legion Week.		1873	
71. Senators Quigg, Owen and Conner: Government approval of Grays Harbor Navigation Projects.		2018	
72. All Members, except Senator Pullen: Cinco de Mayo Day.		1837	
73. Senators McDermott, Gaspard and Bauer: Doran Decision.		1874	
77. Senators Bottiger and McDermott: Committee to review Insurance Benefits.		2147	
78. Senators Thompson, Zimmerman, Bauer and Talmadge: Examining proposals for '84 session concerning Current Death Investigation Systems.		2194	
79. Senators Thompson and Sellar: Urging Congress for funds to deepen mouth of Columbia River.		2146	
80. Senators Quigg, von Reichbauer, Benitz, Bluechel, Lee, Fuller, Woody, Thompson, Craswell, Granlund, Hurley and Metcalf:			

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
Examination of Federal Laws pertaining to Criminals found not guilty on grounds of insanity.		2192	
89. Senators Bottiger, Fleming, Hayner, Jones: Commending Student Congress.		2149	
96. Senators Thompson and Jones: Supporting U.S. SCR 73, condemning Iranian persecution of members of the Bahai'a faith.		2193	
97. Senators Quigg, Owen and Conner: Welcoming U. S. Borax Company to Grays Harbor area.		2193	
98. Senators Fleming, Talmadge, Shinpoch and Patterson: Senate Committees on Ways and Means and Local Government undertake study of METRO.		2191	
99. Senator Warnke: Tourism Development.		2192	
102. Senators Benitz and Hayner: Naming the Tri-Cities Bridges after R. C. Bremmer.		2192	
103. Senators Rinehart, Kiskaddon, Gaspard and Hemstad: Senate Committee on Education study part-time faculty in Community College System.		2298	
109. Senators Goltz, Gaspard, Rinehart, Patterson Guess and Hansen: Senate Committees on Ways and Means and Education study of funding Higher Education.		2299	
111. All Members: Endorsing Postage Stamp to Commemorate EXPO '86.		2327	
113. Senators Granlund, Talmadge, Owen and McDermott: Committees on Institutions and Ways and Means to study Legislation on Community Corrections Programs.		2329	
115. Senators Talmadge and Hughes: Creating Select Committee on SeaFirst National Bank Crisis.		2330	
116. All Members, except Senator Guess: Honoring Dorothy Guess, the wife of Senator Sam Guess.		2430	
122. Senators Bottiger, Fleming, Hayner and Jones: Notifying the House that the Senate is about to adjourn SINE DIE.		2430	
123. All Members: Honoring Senator Henry M. Jackson.		2438	

## HISTORY OF HOUSE BILLS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1.	66		115	115	66, 118	Ch. 1
2.	194	1030	1268	1295, 1785	1274,1277, 1278,1293, 1846	
6.(Sub)	464					
9.(Sub)	790					
16.(Sub)	587	951	1067	1067	1103	Ch. 69
20.(Sub)	114	134	166	167,190	190, 191	Ch. 6
22.(Sub)	790	932				
23.	160	971	1101	1102, 1498		Ch. 170
24.(Sub)	445	913	947	947	952	Ch. 21
25.	318	904	953	953	1104	Ch. 86
31.	452	1001				
32.	160	301	916	917	1035	Ch. 37
35.	201	923	1068	1068	1103	Ch. 87
36.	453	932	1068	1068	1103	Ch. 88
37.(Sub)	231	926	1064	1064	1103	Ch. 89
39.(Sub)	160	992	1299, 1772	1301, 1773, 1846,1880	1772, 1846, 1882	PV Ch. 27 E1
43.(Sub)	376, 1694	579, 1440	1826	1827, 1885	1774,1885, 2021, 2022	Ch. 43 E1
44.(Sub)	681	932	1089	1089	1599, 1601	Ch. 171

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
47.(Sub)	453	911	943	943	952	Ch. 22
49.(Sub)	966	1324	1324	1364		
50.(Sub)	2386				2386	
51.(Sub)	2138		2139	2139	2147	Ch. 56 E1
52.(Sub)	2362		2362	2385, 2387	2387, 2388	
55.(Sub)	1845	1887	1890	1953, 2280	1887, 1951,2030, 2272,2280, 2300	Ch. 57 E1
56.	2287		2287	2287	2287, 2300	Ch. 58 E1
57.(Sub)	2287		2288	2288	2287,2337, 2345	Ch. 54 E1
58.	2287		2289	2289	2287, 2300	Ch. 59 E1
59.	765	1030	1102	1102	830,1147	Ch. 90
61.	160	192	320	320	321	Ch. 8
63.	201	923	990	990	1034,1035	Ch. 55
64.(Sub)	231	323	1074	1075	1322,1370	Ch. 172
66.	201					
71.(Sub)	940,1694					
72.	581	1030	1301, 1773	1311, 1833	1305, 1308,1309, 1311,1773, 1793,1800, 1803,1811, 1813,1819, 1825	Ch. 55 E1
72.(Sub)	2303		2303	2305	2331	
73.	453	453				
74.	201	933	1090, 1129, 1744	1090, 1130, 1744, 1980	1090, 1787,1873, 1980,2021, 2022	Ch. 44 E1

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
76.	201	933	1091	1091	1599,1601	Ch. 173
77.	453	911	943	944	943,944, 952	Ch. 24
78.	201	911	991	992	1034,1035	Ch. 38
79.(Sub)	453					
81.(Sub)	266	971	1103	1103, 1105	1103,1105, 1146,1147	Ch. 91
83.	318	913	947	947	952	Ch. 23
84.(Sub)	464					
87.	318	926	1066	1066	1103	Ch. 92
89.	898	1030	1406	1406	1501	Vetoed
95.(Sub)	464	994	1110	1110	1166	Ch. 138
96.	581	1035				
99.(Sub)	453	904	940	940	952	Ch. 25
101.	765					
102.	464	913	955	955	1104	Ch. 70
105.(Sub)	646					
106.	201	933	980	981	1034,1035	Ch. 56
107.	377	1001	1394	1394	1599,1602	Ch. 174
111.	453	586	909	909	1034,1035	Ch. 57
112.	318	926	1064	1064	1103	Ch. 93
114.(Sub)	532	911	954	955	1104	Ch. 94
116.(Sub)	851	1001	1110	1111	1501	Ch. 282
117.(Sub)	532	1004	1150, 1279	1151,1152, 1279, 1281	1151,1152, 1280, 1599, 1601	Vetoed
118.(Sub)	231	926	1065	1065	1103	Ch. 95
122.	318	933			990	
125.	318	966	1283	1283	1306	Ch. 175

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
126.(Sub)	765	951	1437	1438	1612	PV Ch. 233
127.(Sub)	765, 1694	1752	1816	1816	1774,1880, 1882	Ch. 29 E1
129.(Sub)	377	971	1284	1284	1599,1601	Ch. 283
132.(Sub)	819					
134.(Sub)	705	971	1284	1285	1599,1601	Vetoed
136.	445	904	953	953	1034,1035	Ch. 58
138.	892					
139.(Sub)	606	933	982, 1848	984, 1854	1478, 1576,1982, 1983	PV Ch. 32 E1
140.	717					
141.	533					
143.(Sub)	533	911	943	943	952	Ch. 26
144.	232	911	945	945	952	Ch. 27
145.	160	913				
146.	790	974	1111	1113	1166	Ch. 119
147.	266	307	341	341	340,369	Ch. 10
148.(Sub)	267	579	954	954	1034,1035	Ch. 59
149.(Sub)	453					
150.	453	1030	1396	1397	1501	Ch. 176
152.	454	1031				
153.	454	966	1083	1083	1104	Ch. 96
164.	581	971	1073	1074	1074,1322, 1370	Ch. 177
174.	454	904	941	941	952	Ch. 28
175.	681	933	1010	1010	1103	Ch. 97
177.(Sub)	464	1031	1388	1389	1599,1602	Ch. 178
179.(Sub)	681	1272	1418	1418	1599,1602	Ch. 179



NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
180.	606	937	1113	1113	1166	Ch. 139
181.(Sub)	1753	1788	1788		1754,1769, 1788	
183.	207	933	1123	1123	1166	Ch. 140
184.	533	640	918	918	952	Ch. 29
185.	201	934	989	989	1599,1602	Ch. 180
187.(Sub)	706	923	990	990	1034,1035	Ch. 60
189.(Sub)	619	924	986	986	1034,1035	Ch. 61
197.(Sub)	706	1001	1122	1122	1501	Ch. 181
198.	318	924	991	991	1034,1035	Ch. 39
203.	790	1002	1127	1127	1498	Ch. 182
207.(Sub)	319	490	916	916	939	Ch. 19
208.	533	1031	1128	1128	1166	Ch. 141
213.(Sub)	1753					
216.	606	912	946	946	952	Ch. 30
217.	445	1035				
219.	706	914	976	976	1034,1035	Ch. 40
226.(2nd Sub)	633	1369	1442, 1805	1442, 1786	1786, 1879	Ch. 20 E1
231.(2nd Sub)	634	927,1441	1755	1759	1441, 1879	Ch. 21 E1
232.(Sub)	659	1031	1128	1128	1498	Ch. 183
233.(Sub)	502	1035	1317	1317	1599,1601	Ch. 284
234.(Sub)	929	1079	1664, 1671	1671	1638, 2135	PV Ch. 53 E1
235.(Sub)	929	1369	1672	1684, 1997	1369, 1638,1684, 1698,1997, 2138	Ch. 49 E1
239.	581	166	1148, 1733	1172,1734, 1788,1842, 1857	1148 1989	Ch. 33 E1

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
240.(Sub)	898	1031	1413	1415, 1815, 2285	1979, 2011,2012, 2189,2285, 2323	Ch. 71 E1
241.(Sub)	548	914	1006	1006	1103	Ch. 98
245.(2nd Sub)	634, 1694	2325	2325	2326	2388, 2389	Ch. 60 E1
251.(Sub)	634, 1694	1070, 1783	1984	1987	1079,1784, 2135	Ch. 50 E1
254.(Sub)	548					
256.	295	531	907	922	500,921, 1034,1035	Ch. 41
257.	581	994				
259.	454	971	1129	1129	1166	Ch. 142
260.	717	966	1145	1145	1498	Ch. 184
263.(Sub)	581	927	1066	1066	1103	Ch. 99
266.(Sub)	619	966	1127	1127	1166	Ch. 143
269.	659	1031	1421	1421	1501	Ch. 185
270.	892	1004	1147	1147,1297	1298	Ch. 145
271.(Sub)	1695					
274.	491	934	997	997	1034,1035	Ch. 42
275.	491	934	998	998, 999	998,999, 1034,1035	Ch. 44
278.(Sub)	581	1070	1400	1410, 1837, 1882	1405, 1406,1407, 1882,2021, 2022	Ch. 46 E1
284.	681	967	1161	1161	1599,1602	Ch. 186
285.	587	912	992	992	1034,1035	Ch. 43
288.	606	904	941	941	952	Ch. 31
289.(Sub)	548	993	1011, 1537	1026, 1553	1536, 1612	Ch. 165

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
295.(2nd Sub)	1695	1752	1816	1817	1774,1880, 1882	PV Ch. 28 E1
296.(Sub)	717	1002	1860	1865	2147	Ch. 61 E1
297.(Sub)	377	905	956	964	1104	Ch. 115
300.	819	934	1075	1078	1078,1322, 1370	Ch. 187
304.	491	967	1162	1162	1271	Ch. 144
305.	851	948	1085	1086	1147	Ch. 100
306.(Sub)	581					
307.(Sub)	892	951				
309.(Sub)	790	924	1080	1081	970, 1104	Ch. 116
311.(Sub)	851					
312.	491	934	998	998	1034,1035	Ch. 45
313.	502	972	1162	1162	1271	Ch. 146
318.	445	948	1091	1093	1599,1602	Ch. 188
323.(Sub)	706	914	1006	1006	1103	Ch. 101
325.(Sub)	791	1079	1578	1578	1601,1602	Ch. 189
328.(Sub)	791	1002	1163	1163	1271	Ch. 147
334.(Sub)	582	937	1094	1094	1479,1599, 1601	Ch. 285
336.(Sub)	717	914	1114	1267	1115,1266, 1599,1602	Ch. 286
344.	454					
348.	454	905	942	942	952	Ch. 32
357.	465	927	1100	1100	1065,1147	Ch. 102
359.(Sub)	491	948	1163	1173	1164,1172, 1599,1601	PV Ch. 168
366.(Sub)	646	912	1000	1000	1034,1035, 1599	Ch. 62
371.	717	934	987	987	1034,1035	Ch. 63

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
373.	533	972	1164	1164	1271	Ch. 148
374.	606	1273				
378.	765					
383.(Sub)	899	1031	1164	1165	1271	Ch. 149
387.	899	1032	1105	1105	1146.1147	Ch. 71
390.(Sub)	791	993	1176	1265	1599, 1601	PV Ch. 167
392.	582	1070	1577		1578	
393.(Sub)	521	703	976	981	978,981, 1109,1146, 1147	Ch. 103
399.	646	993	1273, 1768	1309, 1785	1274, 1309,1768, 1784,1785, 1844	Ch. 12 El
406.(Sub)	1695					
409.(Sub)	706	927	1065	1065	1103	Ch. 104
410.(Sub)	929, 1695	1070, 1876				
411.	681,1695					
412.	706,1695					
413.	582	912	999	999	1034,1035	Ch. 64
417.	892	1036				
419.	681	967	1376	1376	1501	Ch. 190
420.	491	967	1173, 1745	1174,1745, 1807	1479	PV Ch. 5 El
426.(Sub)	899	934	969, 1061	969, 1061,1069	969,1069, 1501	Vetoed
428.	606	967	1376, 1746	1379,1748, 1788, 1884	1859, 1883,2021, 2022	Ch. 45 El
430.	851	927	1067	1067	1103	Ch. 105
431.(Sub)	791	1032	1130	1145	1601,1602	Ch. 191

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
432.	892			902		
433.(Sub)	717	972	1312	724, 1314	1599, 1602	Ch. 192
434.(Sub)	706	972	1088	1088	1599,1602	Ch. 287
435.(Sub)	717					
436.	791	1036	1175	1175	1599,1601	Ch. 193
439.(Sub)	706	938				
441.	521	612	652	654	652,654, 659	Ch. 13
446.	717	1002	1171	1171	1498	Vetoed
448.(Sub)	892	974				
449.	851	994				
452.(Sub)	707	974	1318	1319	1600,1601	Ch. 194
458.(Sub)	765	974	1086	1086	1599,1601	Ch. 288
463.(Sub)	899	974	1087	1087	1599,1602	Ch. 195
466.(Sub)	2287		2290	2291, 2324, 2333	2287, 2324,2325, 2332,2388, 2389	Ch. 62 E1
470.(Sub)	319, 1695	1079, 1752	1761	1761	1754, 1879	Ch. 17 E1
471.	377, 1695	1080, 1752	1762	1762	1754, 1807	Ch. 9 E1
475.(Sub)	892					
476.(Sub)	851	951	1095	1095	1498	Ch. 196
478.(Sub)	765					
479.	791	994	1379	1380	1577,1601, 1602	Ch. 289
480.(Sub)	851					
482.(Sub)	791	912	985	985	1146,1147	Ch. 72
484.(Sub)	940	1004	1400	1400	1501	Ch. 290
487.	606	905	942	942	952	Ch. 33

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
488.(Sub)	582	914	996	996	1146,1147	Ch. 106
493.(Sub)	820	1032	1278	1279	1599,1602	Ch. 197
495.(Sub)	929, 1695	1770	1818	1818	1771, 1879	Vetoed
496.(Sub)	1697	1752	1762	1762	1754, 1807	Ch. 11 El
498.(Sub)	892	974	1166	1167	1272	Ch. 150
509.	717					
511.(Sub)	893	1036	1390	1391	1600,1601	Ch. 291
517.	820					
520.	791	914	1381	1382	1599,1602	Ch. 198
522.(Sub)	893	1002	1292	1293	1306	Ch. 199
524.	582, 1695					
531.	619	972				
533.(Sub)	681	914	996	997	1146,1147	Ch. 107
534.	765	935	969	969	1034,1035	Ch. 65
536.	765	1070				
538.(Sub)	741	935	1095		1096	
539.(Sub)	742	935	1096	1096	1147	Ch. 108
540.(Sub)	791	935	1152	1152	1096,1272	Ch. 151
546.(Sub)	742	967	1293	1293	1306	Ch. 200
547.(Sub)	607	915	997	997	1034,1035	Ch. 66
548.(Sub)	893	1002	1374	1374	1501	Ch. 292
551.(Sub)	766	1032				
552.(Sub)	742					
555.	893	1032	1371	1387	1371,1385, 1386,1387, 1600,1601	Ch. 293
569.	792	967	1371	1371	1501	Ch. 294

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
570.	766	927	978, 1855	979, 1860	1479,1860, 1983	Ch. 34 E1
571.(Sub)	851	972				
574.	718	1036				
576.(Sub)	893	1032	1388	1388	1501	Ch. 295
579.(Sub)	893	972	1375	1375	1601,1602	Ch. 296
583.(Sub)	899,1696					
585.	659	1036	1575	1575	1612	Ch. 297
588.	2213		2291	2292	2213, 2323	Ch. 63 E1
595.	659,1696	1783	1834	1834	1784, 1879	Ch. 18 E1
596.	899	1032				
603.(Sub)	792					
605.(Sub)	1696, 2423	1876	2423	2426	2328,2388, 2430	Ch. 1 E2
606.	820					
608.(Sub)	899					
611.	607	938				
618.	792					
620.(Sub)	820	994	1382	1383	1383,1384, 1501	Vetoed
643.	792	974	1275	1276	1501	Ch. 201
646.(Sub)	792	973	1081	1082	1501	PV Ch. 234
653.	792	1033	1311	1311	1501	Ch. 298
661.(Sub)	852	993	1320	1320, 1322	1320,1322, 1501	Ch. 299
667.(Sub)	852	1002	1322	1322	1600,1601	Ch. 202
674.	707	1071	1411	1412	1600,1601	Ch. 300
683.	820	935	987	988	1322,1370	Ch. 301

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
685.(Sub)	852	1071				
689.(Sub)	792.1696	973				
693.(2nd Sub)	2139		2139	2139	2147	Ch. 64 E1
700.(Sub)	893					
701.(Sub)	718	951			1096	
708.(Sub)	682	1033				
710.	899					
712.(Sub)	1982	2213	2213	2219	2323	Ch. 65 E1
717.(Sub)	1982					
719.(Sub)	792	935	988	988	1109,1146, 1147	Ch. 109
724.	820	995			1163	
725.	915, 1696	1752	1763	1763	1754, 1807	Ch. 10 E1
726.(Sub)	899					
739.	792	973				
740.(Sub)	792	1033	1773	1773, 1803	1774, 1802,1803, 1879	Ch. 26 E1
741.	820	935	1096	1096	1147	Ch. 110
747.	893	968	1167	1167	1501	Ch. 302
749.(Sub)	893	1036				
752.	1697	1770			1771	
753.	893	1071	1286	1296	1292,1295, 1599,1602	Ch. 303
756.	894	995				
765.	742	951	1392	1393	1501	Ch. 203
769.	792					
784.(Sub)	659	1441	1575	1575	1441,1601, 1602	Vetoed H override



NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
787.	852	915	985	985	1034,1035	Ch. 67
790.(Sub)	820	938	1097	1097	1498	Ch. 304
793.(Sub)	766	948	1037	1058	1501	Ch. 305
796.(Sub)	766	1033	1804	1804, 1814	1805,1813, 2300	Vetoed
803.	852					
804.	820	1033	1315	1315, 1316	1316, 1501	Ch. 306
806.(Sub)	900					
816.(Sub)	894	1004				
817.	821	936	1080	1080	1104	Ch. 111
839.	900	973				
848.(Sub)	852	938	1097	1098	1498	Ch. 307
855.(Sub)	894	948	1098	1098, 1101	1099, 1147	Ch. 112
856.(Sub)	793					
860.	894					
861.	742	995				
863.(Sub)	900					
864.(Sub)	900					
865.(Sub)	894	1037	1267	1268	1599,1601	Ch. 308
867.	900	975	1286	1286	1599,1601	Ch. 204
868.(Sub)	821					
872.	894					
882.(Sub)	821	936	1399	1399	1501	Ch. 309
888.(Sub)	894	1003	1396	1396	902,1501	Ch. 162
905.	894	1005	1319	1319	1501	Ch. 310
906.(Sub)	894	1005	1398	1399	1612,1613	Ch. 311
911.	894	1037				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
919.	895	973	1273	1273	1306	Ch. 312
925.	895	975	1167	1167	1272	Ch. 152
939.	895	1037				
954.(Sub)	852					
983.(Sub)	2302		2302	2302	2325,2333	
1011.(Sub)	852	938	1099	1099	1501	Ch. 313
1016.(Sub)	900					
1017.(Sub)	893	1003				
1035.(Sub)	766	968	1149	1149	1297,1298	Vetoed
1038.(Sub)	659	703	712	712	703,729	Ch. 17
1050.(Sub)	1753					
1051.(Sub)	1753					
1075.	431		431	431,433	435	Ch. 9
1079.	2029		2032, 2150	2067, 2185, 2186	2032,2186, 2299, 2300	PV Ch. 76 E1
1082.	1845	1887	1888	1889	1989	Ch. 36 E1
1089.(Sub)	852	973	1314	1314	1501	Ch. 314
1093.(Sub)	793	936	1423	1424	1578,1612, 1613	Ch. 315
1094.	1697	1783	1953	1975	1784,1954, 1973, 2135	Ch. 48 E1

## HISTORY OF HOUSE JOINT MEMORIALS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
4. ....	295	1033	1420	1421	1501	
11. ....	251					
15. ....	634	995	1381	1381	1501	
16. ....	793	1126				
17. ....	793	968	1380	1381	1501	
19.(Sub) ....	821	951	1100	1100	1147	
30. ....	895	1033				
31. ....	852	975	1396	1396	1501	
32. ....	660	936	1083	1083	1104	

## HISTORY OF HOUSE JOINT RESOLUTIONS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Fincl Passage	Other Action	Action by Gov.
11. ....	821					
19.(Sub) ....	646	995	1282	1283		
27. ....	619	968			1115,1122	
29.(Sub) ....	707	938				
35. ....	853	968				

## HISTORY OF HOUSE CONCURRENT RESOLUTIONS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1.	9		9	9,47	47	
2.(Sub)	533	927	1315	1315	1501	
3.	465	1071	1417	1418	1612,1613	
6.(Sub)	295	506	527	527, 533	527,533, 534,1612, 1613	
9.	201,202		202	202	204	
19.	1623		1623	1623	1623,1624, 1627	
20.	1623		1623	1623	1623,1624	
21.	1632		1632	1632	1631,1632, 1652	
22.	1632		1632	1632	1631,1633, 1652	
23.	1633		1633	1633	1632,1633, 1652	
26.	1784		1784	1784	1807	
28.	2390		2390	2390	2390	
29.	2429		2429	2429	2431	

**ABANDONED PROPERTY** (See PERSONAL PROPERTY)**ABORTIONS**

Informed consent required: HB 468

Wrongful birth or wrongful life suits, prohibiting: HB 178, SHB 178

**ACCOUNTANTS**

Board of accountancy created: HB 646, \*SHB 646, CH 234 (1983)

CPA examination account created: HB 19

CPA regulations, comprehensive program: HB 646, \*SHB 646, CH 234 (1983)

Public accountancy act of 1983: HB 646, \*SHB 646, CH 234 (1983)

**ADMINISTRATIVE RULES** (See CODE REVISER; STATE AGENCIES)**ADOPTION** (See FAMILY LAW)**ADULTS** (See also ELDERLY)

Age discrimination, 40 to 70 years, unfair practice to refuse employment: \*HB 555, CH 293 (1983), SB 3196

Agriculture commissions and boards, membership age dropped to 18 in most cases: HB 90

Cognitively impaired adults protected: HB 944

Custodial interference, gross misdemeanor or felony: SSB 3387

Dependent or vulnerable, protection from abuses of criminal justice system: SB 3060

Retirement age, mandatory provisions may be waived: HB 338

**ADVERTISING** (See also CAMPAIGNS; SIGNS)

Age discrimination in employment offers is an unfair practice: \*HB 555, CH 293 (1983), SB 3196

**AGRICULTURE** (See also LIVESTOCK)

Apples, fresh apple levy: HB 118, \*SHB 118, CH 95 (1983)

Attachment and execution of farm equipment, exempt amount increased to \$4,000: SB 3408

Berry harvesters, excluded from industrial insurance: HB 257

Birds, exotic, importation laws: HB 945

Boom loaders, license category created: HB 457, \*SHB 793, CH 305 (1983)

Cold storage warehouse defined for tax purposes: \*SSB 3239, CH 132 (1983)

Commission merchants: HB 457

Commissions and boards, membership age dropped to 18 in most cases: HB 90

Commodity warehouses regulated: HB 440, SHB 440

Conservation commission, director of agriculture is an ex officio member: HB 272

Conservation corps established within many agencies: \*SSB 3624, CH 40 E1 (1983)

Conservation futures, certain holdings exempt from ad valorem taxation: HB 692

Crops, security interest, perfected lien has priority: HB 543

Dairy products, coupons: HB 219, SB 4082

Dairy products, standards and definitions may exceed FFDCA standards: SB 4010

Department organization: \*SB 3297, CH 248 (1983)

Deputy director, appointment: \*SB 3297, CH 248 (1983)

Development authority, farm machinery and long-term credit: HB 768

Districts, formation authorized: HB 690

Embargoed articles, 20 day petition period by director: \*SHB 118, CH 95 (1983)

Endrin prohibited: HB 751

Endrin, three year phase out: SB 4079

Fireworks use: HB 41

Food donation program: \*SSB 3068, CH 241 (1983)

Fruit tree certification and nursery improvement advisory committee modification: \*SSB 3864, CH 73 E1 (1983), SSB 3866

Fruit, wholesale market value annual assessment: \*SSB 3864, CH 73 E1 (1983), SSB 3866

Fruits, soft, assessment increased: \*SSB 3864, CH 73 E1 (1983)

Grain dealer licenses: HB 440, SHB 440

Grains, commodity warehouses regulated: HB 440, SHB 440

**AGRICULTURE—cont.**

- Hay and straw dealers: HB 457
- Hexachloroepoxyoctahydro-endo, endo-dimethanonaphthalen prohibited: HB 751, SB 4079
- Horticulture association recognized: HFR 10
- Industrial insurance, berry harvesters excluded: HB 257
- Insect control assessments: \*SSB 4226, CH 281 (1983)
- Institutional industries, perishable foods, timber, agricultural surpluses may be sold or donated: SB 3527
- Irrigation equipment leased, exempt from use tax: \*SHB 72, CH 55 E1 (1983)
- Noxious weed control, funded by special tax at vehicle license time: SSB 3205
- Nursery and horticultural advisory committee: \*SSB 3864, CH 73 E1 (1983), SSB 3866
- Nursery dealer license fees: \*SSB 3864, CH 73 E1 (1983), SSB 3866
- Nursery dealers, department may enjoy: \*SSB 3864, CH 73 E1 (1983), SSB 3866
- Pest control consultant license increased: HB 118, \*SHB 118, CH 95 (1983)
- Pesticide application notice to schools and residences: HB 885
- Pesticide bond increased: HB 118, \*SHB 118, CH 95 (1983)
- Pesticide dealer license fee increased: HB 118, \*SHB 118, CH 95 (1983)
- Pesticides, authority transferred to ecology: HB 901
- Pesticides, endrin prohibited: HB 751
- Pesticides, endrin, three year phase out: SB 4079
- Pesticides, records kept by applicators: HB 648
- Security interests in crops, perfected lien has priority: HB 543
- State veterinarian: \*SB 3297, CH 248 (1983)
- Tree fruit diseases and competitive trees to be eradicated: HB 887, \*SSB 4226, CH 281 (1983)
- Tree fruit sanitation programs: HB 887, \*SSB 4226, CH 281 (1983)
- Trespassing is a misdemeanor: HB 844
- Vacancy in the office of the director: \*SB 3297, CH 248 (1983)
- Vocational education program: \*HB 570, CH 34 E1 (1983)
- Warehouse licenses: HB 440, SHB 440
- Washington growers clearing house: HFR 10
- Workers' compensation, agricultural workers, conditions: HB 257

**AIR POLLUTION**

- DOE may accept delegation of clean air act: SSB 3616
- Emission credits banking program: SSB 3616
- Emission inspections, motor vehicle fleet redefined: HB 389, HB 611
- Emission standards, motor vehicles fueled by propane exempt: \*SSB 3497, CH 247 (1983)
- Emission testing, used cars sold by dealers exempt: HB 491, \*SB 3857, CH 238 (1983)
- Used cars sold by dealers exempt from emission testing: HB 491, \*SB 3857, CH 238 (1983)
- Vehicle emission control account, noncompliance areas, testing: HB 465

**AIRPLANES (See AVIATION)****ALCOHOL (See also DRUNK DRIVING; LIQUOR CONTROL BOARD)**

- Abuse, education provided: SB 4237
- Abuse, liquor control board profits to offset cost: HB 937
- Alcohol and drug treatment programs for offenders: HB 763
- Alcohol awareness program funded by penalty assessments: SSB 3617
- Alcohol information school: \*SHB 498, CH 150 (1983)
- Alcohol safety coordinator created: HB 444
- Alcohol safety office created: HB 444
- Alcoholism hospital not health care facility, board of health: \*SSB 3660, CH 41 E1 (1983)
- Alcohol-related problems, joint select committee to study funding: HCR 18
- Beer, class G retailers may buy from other beer retailers: HB 528
- Beer to list alcohol content: HB 329
- Businesses, financial interest definition modified: HB 675, SB 4145

**ALCOHOL—cont.**

- Caterer's license for serving alcoholic beverages: HB 612
- Crimes enhanced by drug or alcohol abuse, rehabilitative treatment: HB 137
- Diagnostic evaluations for drunk drivers: SSB 3382
- Drinking deterrence and treatment account: HB 870
- Drinking deterrence and treatment fund, surcharge supported: HB 227
- Furnishing to intoxicated person, misdemeanor: HB 825
- Intensive alcohol treatment program for serious problems: HB 498, \*SHB 498, CH 150 (1983)
- International trade expositions and receptions: \*HB 441, CH 13 (1983)
- Long-term health care, ombudsman program: \*SHB 484, CH 290 (1983)
- Malt liquor to list alcohol content: HB 329
- Military base tax exemption, eliminate: HJM 1
- Minor, consumption in home: SB 3521
- Minors in taverns, relative contributory fault: HB 639
- Motor vehicle sports facilities, may not bring alcohol in: \*SSB 3101, CH 160 (1983)
- Ombudsmen program, long-term health care facilities: HB 484, \*SHB 484, CH 290 (1983)
- Probation officer for intensive alcohol treatment program: HB 498, \*SHB 498, CH 150 (1983)
- Retail sale of wine and beer by liquor control board phase out: SHB 319
- Schools to educate about abuse: HB 681, SHB 681, SB 4237
- Taverns and minors on premises, relative contributory fault: HB 639
- Treatment programs for offenders: HB 763
- Wine, class J retailers may buy from other wine retailers: HB 528

**ALLOTMENT REDUCTION (See BUDGET AND ACCOUNTING)****AMBULANCES (See EMERGENCY SERVICES)****AMEN, OTTO**

- Member, public disclosure commission:  
GA 78, confirmed ..... pp. 140, 1304, 1802, 1996, 2020

**AMUSEMENT PARKS**

- Carnival ride operators to possess liability insurance: HB 517
- Rides, providing for regulation by permits and inspections: SSB 3003

**ANDERSON, JAMES E.**

- Member, board of trustees for Skagit Valley community  
college district 4: GA 44, confirmed ..... pp. 29, 480, 599

**ANIMAL TECHNICIANS (See VETERINARIANS)****ANIMALS (See also GAME, DEPARTMENT OF; LIVESTOCK)**

- Birds, exotic, importation laws: HB 945
- Cruelty: 2SSB 3051
- Dogs, guard dogs, firefighters to be notified: \*SB 3537, CH 258 (1983)
- Firefighters must be given notice of guard dogs: \*SB 3537, CH 258 (1983)
- Pets, may live in or visit nursing homes: SB 3059
- Transporting or confining, cruel or unnecessary painful manner, misdemeanor:  
2SSB 3051

**ANNEXATION (See specific entity)****ANNUITIES (See PENSIONS)****ANTIQUÉ BOILERS (See LABOR AND INDUSTRIES, DEPARTMENT OF)****ANTITRUST (See CONSUMER PROTECTION)****APPLE BLOSSOM FESTIVAL**

- Tina Rank, queen, addressed senate, royalty introduced ..... p. 607

**APPLES (See AGRICULTURE)****APPRENTICES (See LABOR AND INDUSTRIES)**



**APPRENTICESHIP COUNCIL**

John H. Stender, member: GA 98, confirmed . . . . . pp. 580, 1996, 2020

**AQUARIUMS (See ZOOS AND AQUARIUMS)****AQUATIC LANDS (See NATURAL RESOURCES, DEPARTMENT OF)****AQUIFER (See WATER)****ARBITRATION**

Electrical rules of towns versus states: \*SSB 3055, CH 206 (1983)

Landlord tenant disputes: HB 499

Uniformed personnel, arbitration panel performs a state function and so it is a state agency: HB 85, SHB 85

**ARCHAEOLOGY (See HISTORICAL CONSERVATION)****ARMORIES (See MILITARY)****ARSON (See CRIMES)****ARTS**

Adult correctional facility construction projects exempted from 1% for art: HB 34, SB 3243

Joint legislative committee established: SCR 129

Public arts program revised: \*HB 867, CH 204 (1983)

Public buildings, 1% for arts repealed: HB 104

State arts commission, sunset termination: HB 493, \*SHB 493, CH 197 (1983)

Tacoma youth symphony: HFR 89

Visual arts program: \*HB 867, CH 204 (1983)

**ASIAN-AMERICAN AFFAIRS COMMISSION**

Sunset termination extended: \*HB 146, CH 119 (1983), SB 3233

**ATHLETICS (See also FLOOR RESOLUTIONS: CONVENTION AND TRADE CENTERS)**

Health studios, regulating: SSB 3021

Kite flying festival: HFR 20

Phil Mahre recognized: HFR 46

Rosalynn Sumners championship and birthday recognized: HFR 59

Rosalynn Sumners victory congratulated: HFR 11, SCR 108

Sports official, assault is a misdemeanor: HB 290

Women's marathon trials in Olympia, support urged: HFR 42

**ATTACHMENT AND EXECUTION (See SECURITY INTERESTS)****ATTORNEY GENERAL (See also CONSUMER PROTECTION)**

Consumers' counsel office: HB 563, SHB 563

Drinking deterrence and treatment fund, surcharge supported: HB 227

Initiative measures, review by attorney general if petitioner requests: HB 429

Lottery, unfair acts prohibited: SSB 3814

Parole revocation, AG to make recommendations: HB 476, \*SHB 476, CH 196 (1983)

Public records, how state retrieves illegally held records: SHB 478

Salary increase: HB 50, SHB 50

WUTC hearings, consultants may be hired: HB 709

WWII discriminatory dismissals of state employees, reparation: HB 268

WWII discriminatory dismissals of state employees, reparation for employees and surviving spouse: \*SSB 3163, CH 15 E1 (1983)

**ATTORNEYS (See also CIVIL ACTIONS AND PROCEDURES)**

Bond or debt services for state, contract to be obtained competitively: HB 652

Child custody, malpractice or misrepresentation, new proceeding: HB 407

Client confidences, ethic rules altered: HB 924

Contracts with counties: \*SSB 3151, CH 129 (1983)

Counselor-patient privilege: HB 188

Damages, no evidence allowed which apportions damages on per diem basis: HB 386

**ATTORNEYS—cont.**

- Education, low-income services, trust account interest: HB 854
- Ethics standards, client confidences: HB 924
- Fees allowable expanded: \*HB 428, CH 45 E1 (1983)
- Fees, awarded to prevailing party in frivolous action or defense: HB 138, SB 3130
- Fees, constitutional or administrative challenges, fees to party successfully bringing: HB 647
- Fees, costs in condemnation proceedings: SB 3128
- Fees, defining costs which may be awarded prevailing party: SB 3131
- Fees, frivolous or without reasonable cause, plaintiff pays expenses: HB 647
- Fees, land use planning suit, award to prevailing party: HB 27
- Fees, list of what may be awarded in civil actions: HB 738
- Fees, mortgagee fails to release mortgage upon satisfaction: SB 3132
- Fees, prevailing party in waste disposal suits: \*SHB 64, CH 172 (1983)
- Fees, prevailing party, lie detectors as conditions of employment: HB 449
- Fees, private attorney generals, if plaintiff prevails: \*SB 3130, CH 127 (1983)
- Fees, worker's compensation, borne proportionately by worker, department, self-insurer: \*SSB 3127, CH 211 (1983)
- Interpreters, non-English speaking cultural background: HB 460, \*SB 3501, CH 222 (1983)
- Judgments, rate of interest equalized: HB 328, \*SHB 328, CH 147 (1983)
- Low-income services and public education, trust account interest: HB 854
- Nurse-patient privilege: HB 688
- Professional corporations, shareholders, exclusively attorneys, may be personal representatives: \*SB 3383, CH 51 (1983)
- Satisfaction of judgments, must designate judgment creditor and debtor: \*HB 174, CH 28 (1983)
- Settlement offers, served on adverse party 10 days prior to trial: \*SHB 116, CH 282 (1983)
- Settlement offers, served on adverse party 5 days prior to trial: HB 116
- Trust account interest, low-income services and public education: HB 854

**AUDITOR (See COUNTY AUDITOR; STATE AUDITOR)****AUDITS**

- County treasurer, quarterly audits eliminated: SSB 3103

**AUTOMOBILES (See MOTOR VEHICLES)****AVIATION**

- Air navigation facilities, city has fire code responsibility: HB 903
- Aircraft dealer regulations: \*SB 3252, CH 135 (1983)
- Aircraft excise tax, failure to pay, misdemeanor: \*SB 3258, CH 7 (1983)
- Airports, discharge of weapons on or across, gross misdemeanor: HB 542
- Business or commercial purposes, excise tax changed: HB 847
- Endangering aircraft, felony: HB 542
- Excise tax, registration fee: SHB 52
- Fee and registration schedule: \*SB 3909, CH 3 E2 (1983)
- Mischief in the 1st degree, airplane tampering: \*SSB 3856, CH 4 E1 (1983)
- State agencies procedures for use or purchase: SHB 406
- WSDOT, leasing, purchasing, and contracting for maximum interagency use: HB 406

**BALLARD**

- Norwegian independence day: HFR 85

**BANKRUPTCY (See DEBTS)****BANKS, CHERRY A. MCGEE**

- Member, board of trustees Shoreline community college district 7: GA 93 . . . . . pp. 430, 2306

**BANKS AND BANKING**

- Activities which may be performed: HB 687, SHB 687
- Banker's bank: HB 687, SHB 687
- Examination fund: \*SB 3182, CH 157 (1983)

**BANKS AND BANKING—cont.**

- Export import bank funding: HJM 19
- Federal reserve act, repeal: SJM 121
- Financial institutions department created: HB 676
- Holding companies, Seattle First-type situation: \*SB 3182, CH 157 (1983)
- Holding company acquisitions: HB 687, SHB 687
- Holding company acquisitions, out-of-state purchasers: \*SB 3182, CH 157 (1983)
- Interest rates, absence of written agreement: HB 882, \*SHB 882, CH 309 (1983)
- Joint committee on financial institutions membership modified: SHB 996
- Public assistance, bank account investigations using social security number: HB 397
- Residential financing, public pension guarantee fund to provide money: HB 267
- Safe deposit vault rent due, notice procedures: \*HB 479, CH 289 (1983)
- Savings account, 10% interest withheld, eliminate: SJM 104
- Savings banks, accounting methods: \*HB 275, CH 44 (1983)
- Savings banks, board of directors procedures: \*HB 275, CH 44 (1983)
- Savings banks, conversion to or from federal charter: \*HB 312, CH 45 (1983)
- Savings banks given powers of savings and loan associations: HB 276
- Savings banks, purchase of shares approved: \*HB 275, CH 44 (1983)
- Savings banks, savings and loan associations acting as: HB 277
- Seattle First National Bank crisis, joint select committee created: SCR 128
- Seattle First-type situation, holding company acquisitions: \*SB 3182, CH 157 (1983)
- State bank commission created: HB 682
- State bank created: HB 682, HJR 34
- Uniform unclaimed property act enacted: HB 179, \*SHB 179, CH 179 (1983)

**BARBERING (See also COSMETOLOGY)**

- Examination, licenses, procedures: HB 369, HB 964
- Instructor age dropped to 18: HB 90
- Instructor requirements: HB 369, HB 964
- Jake the barber recognized: HFR 92
- Licensing functions for cosmetology and barbering studied: HB 368, HB 369
- Regulations scheme provided: HB 442
- Sunset termination removed: HB 369, HB 964, \*SSB 3081, CH 75 (1983)

**BARR, SENATOR SCOTT**

- Oath of office ..... p. 2
- Appointed member, agriculture, local government and transportation committees. .... p. 33
- Appointed interim committee member, legislative advisory committee on state government organization. .... p. 2429

**BAUER, SENATOR ALBERT**

- Appointed member, education, local government, rules and ways and means committees. .... p. 33
- Appointed interim committee member, municipal research council ..... p. 2428

**BEAUCHAMP, HENRY**

- Member, state jail commission: GA 69, confirmed ..... pp. 46, 195, 274

**BEER (See ALCOHOL; DRUNK DRIVING; LIQUOR CONTROL BOARD)****BELLEVUE COMMUNITY COLLEGE DISTRICT 8, BOARD OF TRUSTEES**

- Patricia A. McGlashan, member: GA 48, confirmed ..... pp. 30, 481, 600

**BENDER, SENATOR RICK S.**

- Oath of office ..... p. 2
- Appointed member, education, financial institutions, rules and transportation committees. .... p. 33
- Appointed interim committee member, LTC ..... p. 2428

**BENITZ, SENATOR MAX E.**

- Oath of office ..... p. 2
- Appointed member, agriculture, education, energy and utilities committees ..... p. 33

**BENITZ, SENATOR MAX E.—cont.**

Parliamentary inquiry, what issue is before the body	p. 829
Parliamentary inquiry, dividing question	p. 1474
Point of order, SSB 4245, scope and object	p. 1974
Appointed interim committee member, energy and utilities joint committee and joint legislative ethics board	p. 2428
Personal privilege, WPPSS crisis	p. 2439

**BERRY, MICHAEL C.,**

Member, WPPSS executive board of directors: GA 67	p. 33
---------------------------------------------------	-------

**BICYCLES**

Bicycle transportation committee established: HB 375
Bridges to be designed to accommodate bicycles: HB 375
State routes to be established: HB 375

**BIG BEND COMMUNITY COLLEGE DISTRICT 18, BOARD OF TRUSTEES**

H. Dean Laxton, member: GA 58	p. 32
Norma Jean Watson, member: GA 100	p. 580

**BILINGUAL INSTRUCTION (See SCHOOLS AND SCHOOL DISTRICTS)****BLAIR, ANNE S.**

Member, board of trustees for Olympic community college district 3: GA 43, confirmed	pp. 29, 480, 599
-----------------------------------------------------------------------------------------	------------------

**BLANKENSHIP, LELAND**

Public printer: GA 2, confirmed	pp. 21, 108, 144
---------------------------------	------------------

**BLIND**

Advisory commission for the blind created: HB 452
Advisory council for the blind: *SHB 452, CH 194 (1983)
Business enterprises revolving fund created: HB 452, *SHB 452, CH 194 (1983)
Children, skills and resources: *SHB 452, CH 194 (1983)
Commission for the blind created: HB 452
Department of services for the blind created: *SHB 452, CH 194 (1983)
Disabled parking law modified: SHB 448
Financial responsibility act, DSHS: HB 343
Funds, state and federal, coordinated by commission for the blind: HB 452
Prevention of blindness program established: HB 452, *SHB 452, CH 194 (1983)
School, retirement system, service period computation: HB 16, *SHB 16, CH 69 (1983), SSB 3062
Superintendents of institutions, minimum age reduced to 18: HB 90
Vocational services provided: HB 452, *SHB 452, CH 194 (1983)

**BLIND, COMMISSION FOR**

David DeLaittre, member: GA 5, confirmed	pp. 22, 448, 657, 1996, 1998
Sunset report	p. 288

**BLOOD ALCOHOL TEST (See DRUNK DRIVING)****BLOSSER, J. H. "JACK"**

Member, board of trustees for Wenatchee community college district 15: GA 54, confirmed	pp. 31, 482, 601
--------------------------------------------------------------------------------------------	------------------

**BLUECHEL, SENATOR ALAN**

Oath of office	p. 2
Appointed member, parks and ecology, rules and ways and means committees	p. 34
Point of order	p. 97
Parliamentary inquiry, order of amendments	p. 1007
Parliamentary inquiry, rule 66	p. 1455
Parliamentary inquiry, vote on SB 3766	p. 1476
Parliamentary inquiry, 60% vote SHB 605	p. 2426

**BOARD OF TAX APPEALS (See TAX APPEALS)**

**BOARDING HOMES** (See also HOTEL-MOTEL)

Transient accommodations, repeals laws except fire marshal rulemaking authority: HB 273

**BOATS** (See also NAVIGATION)

Boat trailers exempt from vehicle dealer laws: HB 966

Excise tax of 1/2 of 1%: \*SB 3909, CH 3 E2 (1983)

Excise tax, 1% of fair market value: HB 255, \*SB 3258, CH 7 (1983)

Excise tax, 1/2 of 1% of fair market value: HB 967

Fisheries patrol boat: HB 785

Honorary state ship: HCR 4, HFR 9

Marine transportation benefit area authority: HB 464

Moorage and storage regulations, enforcement procedures: HB 211, \*HB 318, CH 188 (1983)

Registration required: HB 255, HB 967, \*SB 3258, CH 7 (1983)

Registration, safety program: \*SB 3909, CH 3 E2 (1983)

Undocumented vessels, limit exemptions: HJM 21

**BOILER RULES BOARD**

Industrial development bonds, developmentally disabled facilities: SSB 3173

Licensing department in charge: HB 477

Membership increased: HB 477

**BOLDS, SILVA**

Member, interagency committee for outdoor recreation:

GA 11, confirmed . . . . . pp. 23, 156, 273

**BONDS** (See also INSURANCE)

Agricultural development authority: HB 768

Common school building bond redemption fund created: HB 427

Convention center bond scope expanded: HB 605, \*SHB 605, CH 1 E2 (1983)

Convention center, covenants: HB 605, \*SHB 605, CH 1 E2 (1983)

Convention center, one or more offerings: HB 605

Convention center, state debt limitation: HB 54

Convention center, state debt limitation formula modified: \*HB 1082, CH 36 E1 (1983)

Declaratory judgments, local governments, agencies, or instrumentalities: \*SSB 3637, CH 263 (1983)

Developmentally disabled facilities, industrial development bonds: SSB 3173

Elections, disclosure of annual per capita principal and interest costs: HB 702

Electric generating project financing (Merwin Dam): HB 838

Energy efficiency financing: HB 883

Energy financing voter approval act, repealed: HB 810

Fish enhancement general obligation bonds: HB 965

Fisheries, capital improvement bonds authorized: \*HB 58, CH 59 E1 (1983)

Grant county arterial highway construction: SSB 4055

Hazardous waste cleanup: HB 717, SHB 717

Health care facilities authority, fixed or variable rate: \*SSB 3124, CH 210 (1983)

Higher education facility authority, financing for private nonprofit institutions: \*SSB 3433, CH 169 (1983)

Higher education institutions, capital improvement bonds authorized: \*HB 56, CH 58 E1 (1983)

Hood Canal bridge, tolls reduced and then terminated: SB 3991

Industrial development bonds, developmentally disabled, facilities: SSB 3173

Industrial development revenue bonds for off-street parking: SSB 3955

Industrial development revenue bonds for research and industrial parks: HB 302, SHB 302, \*SB 3760, CH 51 E1 (1983)

Jail construction and improvements: \*HB 588, CH 63 E1 (1983), SSB 3539

Joint operating agency board authority includes ratification of bond sales: HB 631, SHB 631

Joint operating agency default is unlawful: HB 892

Legal services for bonds to be obtained in a competitive manner: HB 652

**BONDS—cont.**

- Legislature and state agencies, capital improvement bonds authorized: HB 57, \*SHB 57, CH 54 E1 (1983)
- Local governments, agencies or instrumentalities, declaratory judgments of bond issue: \*SSB 3637, CH 263 (1983)
- Metropolitan park districts, sale and issuance provisions modified: HB 189, \*SHB 189, CH 61 (1983)
- Nursing homes, retirement community facilities, industrial development bonds: HB 242, SSB 3173
- Park and recreation service area, proposals, levies: HB 597, SHB 597, SSB 4015
- Public facilities, bonds authorized: HB 356
- Recreational facilities included in industrial development facilities: SSB 3955
- Refunding bond act, voted general obligation bond exception removed: \*SSB 4007, CH 69 E1 (1983)
- Registration of ownership by local and state government: HB 390, \*SHB 390, CH 167 (1983)
- School community service districts: HB 461
- School plant facilities, construction and modernization: HB 427
- State debt limitation formula modified: \*HB 1082, CH 36 E1 (1983)
- State debt limitation formula, voter-approval debt, modified: HB 54
- TESC bond retirement fund: HB 809
- Veteran's home loan financing program established: HB 186
- Voter approved, state debt limitation formula, exceptions: HB 54
- Voter pamphlets to discuss bond measures: HB 193
- WPPSS default unlawful: HB 892
- WPPSS financial resolution called for: HJM 11, SCR 107

**BOOMS (See NATURAL RESOURCES, DEPARTMENT OF)**

**BOONE, DAN**

Member, state jail commission: GA 14, confirmed . . . . . pp. 23, 195, 273

**BORDER AREAS (See CITIES; COUNTIES)**

**BOTTIGER, SENATOR R. TED**

Appointed member, rules and ways and means committees . . . . . p. 34

Motion to limit debate . . . . . pp. 223, 535, 630, 920

Point of order, powers of conference SSB 3258 . . . . . p. 325

Remarks, drafting amendments . . . . . p. 389

Point of order, reading on senate floor . . . . . p. 535

Parliamentary inquiry, roll call request . . . . . p. 538

Point of order, SSB 3206 . . . . . p. 822

Point of order, 3-minute rule . . . . . p. 823

Point of order, debate on SB 4079 . . . . . p. 839

Parliamentary inquiry, 60% majority . . . . . p. 874

Point of order, SSB 3206 . . . . . p. 881

Remarks, cut-off resolution, SB 3760 . . . . . p. 919

Remarks, cut-off resolution, SSB 3608 . . . . . pp. 930, 931

Remarks, HB 146 . . . . . p. 1112

Remarks, HJR 27 . . . . . p. 1116

Remarks, vote on HJR 27 . . . . . p. 1119

Remarks, order of business . . . . . p. 1267

Parliamentary inquiry, order of motions . . . . . p. 1267

Remarks, untimely point of order . . . . . p. 1275

Remarks, SHB 117 . . . . . p. 1280

Point of order, order of business . . . . . p. 1294

Point of order, senate rules, HB 72 . . . . . p. 1306

Remarks, cut-off resolution, EHB 653 . . . . . p. 1311

Remarks, rule 15 . . . . . p. 1320

Point of order, impugning motives . . . . . p. 1358

Remarks, members conduct . . . . . p. 1394

Remarks, ESHB 240 . . . . . p. 1395

**BOTTIGER, SENATOR R. TED—cont.**

Remarks, 10 o'clock rule	p. 1395
Remarks, rule 15	p. 1405
Parliamentary inquiry, delaying process, SB 3182	p. 1613
Parliamentary inquiry, president's ruling	p. 1617
Remarks, SB 3182	p. 1618
Parliamentary inquiry, governor limit time and/or subject	p. 1629
Remarks, bills in dispute	p. 1636
Remarks, third reading calendar	p. 1658
Remarks, order of bills	p. 1735
Parliamentary inquiry, adoption of amendments	p. 1772
Remarks, order of business	p. 1791
Point of order, scope and object SB 3187	p. 1804
Point of order, scope and object EHB 570	p. 1855
Remarks, conference committee signatures	p. 1884
Parliamentary inquiry, beginning of 24 hours	p. 2031
Parliamentary inquiry, motion to reconsider	
EHB 1079	p. 2186
Remarks, SHB 72	pp. 2303, 2304
Remarks, SB 3909	p. 2417
Appointed member interim joint energy and utilities committee	p. 2428
Remarks, SB 4279	p. 2437
Remarks, Senator Henry Jackson	p. 2438

**BOTTLES AND CANS**

Litter control and recycling act, fines increased: *SSB 4107, CH 277 (1983)	
Milk-based or soy-based canned product, not a beverage container: *SB 3535, CH 257 (1983)	

**BOUNDARIES AND PLATS (See LAND USE PLANNING)****BOYD, ROBERT A.**

Director, state lottery commission: GA 1	pp. 21, 449
------------------------------------------	-------------

**BREAD (See FOOD)****BREATHALYZER (See DRUNK DRIVING)****BRITISH COLUMBIA**

Camaraderie maintained with Pacific Northwest and Canada: HFR 96	
Higher education tuition reciprocity: HB 306, SHB 306, *SB 3492, CH 166 (1983)	
Salmon interception treaty, reject: HJM 20	
World expo of 1986, international planning meeting delegates: SCR 122	
World expo of 1986, state participation: *HB 164, CH 177 (1983)	

**BUDGET AND ACCOUNTING (See also FUNDS)**

Allotment reduction, municipal research council: HB 47, *SHB 47, CH 22 (1983)	
Allotment reduction procedures: *SB 3090, CH 47 E1 (1983)	
Annual state budget required: HB 527	
Appropriation bill categories, a, b, or c: HB 194	
Appropriations advisory council: HB 928	
Balanced budget called for: HJR 4	
Balanced budget, directives to governor and legislature: HB 15	
Balanced federal budget requested: HJM 8	
Capital budget adopted: HB 55, *SHB 55, CH 57 E1 (1983)	
Capital debt management program: HB 942	
Central stores revolving fund, expenditure procedures: SSB 4059	
Cost control task force: HB 740, *SHB 740, CH 26 E1 (1983)	
Deficit spending prevented: HJR 14	
Emergency funding, general fund repayment procedures: HB 406, SHB 406	
Federal budget, asks congress to balance: HFR 17	
Ferry system, capital expenditures and operations and maintenance expenses: HB 701, SHB 701	
Fiscal emergency account: HB 194	
Fisheries, capital improvement bonds authorized: *HB 58, CH 59 E1 (1983)	

**BUDGET AND ACCOUNTING—cont.**

- Geothermal account, appropriation conditions: SHB 71
- Geothermal account, not subject to appropriation: HB 71
- Governor's budget document, restrictions: HB 957
- Higher education institutions, capital improvement bonds authorized: \*HB 56, CH 58 E1 (1983)
- Joint operating agency board authority, ratification of administrative budgets: HB 631, SHB 631
- Legislature and state agencies, capital improvement bonds authorized: HB 57, \*SHB 57, CH 54 E1 (1983)
- Municipal research council's motor vehicle excise tax funds, no allotment reduction: HB 47, \*SHB 47, CH 22 (1983)
- Omnibus appropriations act: HB 936
- Operating budget adopted: HB 49, SHB 49, \*HB 1079, CH 76 E1 (1983)
- Priority ranking of budget documents, a, b, or c: HB 194
- Revenue, not to exceed 50% of the average personal income growth: HJR 40
- Revenue shortfall, automatic agency budget reductions: HB 936
- Revolving funds, bid procedures for excess contracts: SSB 4063
- School districts, time of payment of appropriations, apportionment schedule: \*SB 3096, CH 14 (1983)
- School transportation budget allocation formula: HB 296, \*SHB 296, CH 61 E1 (1983)
- Schools, appropriation penalty continued: HB 961
- Schools, categorical programs, specific designation when appropriations made: SB 4093
- Session law publication, appropriation request: \*HB 725, CH 10 E1 (1983)
- Stemilt creek drainage water supply facilities: HB 881
- Supplemental budget, governor's request: \*2SSB 3100, CH 12 (1983)
- Tourism promotion funding restored: HB 833
- Transportation budget adopted: HB 234, \*SHB 234, CH 53 E1 (1983), HB 236, HB 237
- Water supply facilities appropriation: HB 881

**BUILDINGS (See also HOUSING)**

- Art, 1% for art repealed: HB 104
- Energy efficiency, commercial and residential buildings, thermal and lighting standards: HB 2
- Fires, fire safety director or staff, immune from liability for good faith acts: HB 91, SSB 3057
- Housing finance commission established: HB 254, SHB 254, \*2SSB 3245, CH 161 (1983)
- Industrial parks and research included as industrial development facilities: HB 302, SHB 302, \*SB 3760, CH 51 E1 (1983)
- Investment projects, sales tax deferrals: HB 161
- Model conservation standards for new structures: HB 162, SHB 162
- Single family residences, separate living quarters for relatives: SB 3777
- State building code act: HB 557
- Uninhabitable dwellings, enforcement procedures: HB 939

**BURROWS, DONALD R.**

- Director, department of revenue: GA 32, confirmed . . . . . pp. 21, 139, 232

**BUSINESS LICENSE CENTER (See LICENSES)****BUSINESSES (See also ECONOMIC RECOVERY)**

- Alcohol, financial interest definition modified: HB 675, SB 4145
- Aluminum, manufacturing tax extended to: HB 798
- Collective bargaining agreement enforceable against successor agreement: HB 606
- Employment stabilization, employers give one year notice prior to layoffs: HB 694
- Export assistance centers: HB 226, SHB 226, \*2SHB 226, CH 20 E1 (1983)
- Extractors, tax increased: SHB 52
- Hazardous waste regulation and fees: HB 712, \*SHB 712, CH 65 E1 (1983), 2SSB 3722



**BUSINESSES**—cont.

- Industry and job retention study: HCR 27
- Inventory tax exemption modified: HB 466, \*SHB 466, CH 62 E1 (1983)
- Manufacturers, tax increased: SHB 52
- Minority and women-owned businesses, participation enhanced: HB 163, SHB 163, \*2SSB 3230, CH 120 (1983)
- School teachers, math, B&O tax credit for employing: HB 807, SHB 807
- Small business assistance coordinating council: HB 689, SHB 689
- Small business improvement council: SSB 3982
- Small business investment authority: HB 592

**CABLE TELEVISION** (See TELEVISION)**CAMPAIGNS** (See also ELECTIONS)

- Ballot proposition committee: HB 800
- Charitable solicitations, registration and disclosure: HB 553, \*SSB 3642, CH 265 (1983)
- Contributions, limitations apply to state executive and legislative offices: HB 800
- Contributions over \$100, need an accompanying form: HB 154
- Contributions over \$500, special reports: \*HB 150, CH 176 (1983)
- Endorsements, must have source permission: HB 730
- Exit polling, prohibited: HB 214
- Financial affairs statement, must file to appear on ballot: HB 355
- Financing task force, research possible statutory regulation: HB 615
- Fund raising activities during legislative sessions regulated: HB 152, SHB 152
- Fund raising prohibited during session for political parties: HB 247
- Fund raising regulated: SHB 152
- Fund raising, solicitation to defray nonreimbursed expenses during session prohibited: SHB 152
- Funds, transfer by candidates or committees, reporting requirements: \*HB 153, CH 96 (1983)
- Funds, transfer to other candidates prohibited: HB 244
- Labor unions may not require political committee contributions: HB 123
- Political advertising, sponsor identification, duties transferred to public disclosure commission: HB 326
- Political advertising to list sponsor, exemptions: HB 316, SHB 316
- Political committee contributions, unlawful for labor union to require: HB 123
- Public employees, participation, conditions: SHB 426
- Public employees, solicitation and contribution laws, nonpartisan as well as partisan application: HB 426, SHB 426
- Recall procedures: SSB 3984
- Write-in candidates, procedures provided: HB 258

**CAMPERS** (See MOTOR VEHICLES)**CAMPING** (See PARKS AND RECREATION, DEPARTMENT OF)**CANADA** (See BRITISH COLUMBIA)**CANCER**

- Cigarettes, excise tax proceeds go to DSHS for research: SB 3309
- Smoking in public places restricted: HB 229

**CAPITAL BUDGET** (See BUDGET AND ACCOUNTING)**CARLSON, EDWARD E.**

- Member, board of regents for University of Washington: GA 28, confirmed pp. 26, 2282, 2283

**CARNIVALS** (See AMUSEMENT PARKS)**CARS** (See MOTOR VEHICLES)**CATS** (See ANIMALS)**CATTLE** (See LIVESTOCK)

**CEMETERIES**

- Contracts for crypts, niches, graves, encumbered: HB 786, SB 4110
- Endowment care fund: HB 786, SB 4110
- Improvement fund, may use principal as well as income: HB 322
- Prearrangement contracts written report verification: \*HB 419, CH 190 (1983)
- Prearrangement trust account: HB 786, SB 4110
- Regulatory charge, not more than \$4 per internment, entombment, inurnment:  
\*HB 420, CH 5 E1 (1983)
- Retail contracts for purchase of indebtedness, prohibitions: HB 786, SB 4110
- Veterans, memorial parks and cemeteries: HB 575

**CENTRAL WASHINGTON UNIVERSITY, BOARD OF TRUSTEES**

- Susan E. Gould, member: GA 77, confirmed ..... pp. 134, 2282, 2284
- Harold L. Tracy, member: GA 92 ..... p. 248

**CENTRALIA COMMUNITY COLLEGE DISTRICT 12, BOARD OF TRUSTEES**

- Cornelius Doelman, member: GA 52, confirmed ..... pp. 30, 481, 601
- Marc Wheeler, member: GA 109 ..... p. 905

**CERTIFIED PUBLIC ACCOUNTANTS (See ACCOUNTANTS)****CHARITIES (See also NONPROFIT CORPORATIONS AND ORGANIZATIONS)**

- Charitable solicitations, registration and disclosure: HB 553, \*SSB 3642, CH 265 (1983)

**CHattel LIENS (See SECURITY INTERESTS)****CHattel (See PERSONAL PROPERTY)****CHEMICALS (See HAZARDOUS SUBSTANCES)****CHERBERG, LIEUTENANT GOVERNOR JOHN A. (See also LIEUTENANT GOVERNOR; also RULINGS BY THE PRESIDENT; also PRESIDENT OF THE SENATE; also PARLIAMENTARY INQUIRIES)**

- Presiding, joint sessions ..... pp. 34, 382, 1807
- Acting governor, escorted to rostrum ..... p. 321

**CHILDREN (See also FAMILY LAW)**

- Abuse, burden upon parent to show parental custody appropriate: SSB 3253
- Abuse, law enforcement officers to take custody: \*SSB 3253, CH 246 (1983)
- Age limits, decreased from 21 to 18 in numerous cases: HB 90
- Aid to families with dependent children, modifications: HB 735
- Alcohol awareness program funded by penalty assessments: SSB 3617
- Alcohol consumption in home: SB 3521
- Car seats required: HB 66, \*SB 3203, CH 215 (1983)
- Child abuse and neglect noticed in family law hearing: SHB 167
- Child abuse reporting by family court: \*SB 3442, CH 219 (1983)
- Child support due, dissolution, DSHS may collect indebtedness, conditions: HB 345
- Child support due, garnishee exemption: SHB 345
- Child support, excused from payments: HB 900
- Child support, injunctions may be entered to modify existing decree: SHB 345
- Child support obligations, collected from separate or community property: HB 345, SHB 345
- Child support, owe public assistance, procedures: SHB 345
- Child support, 5 year statute of limitation: HB 345, SHB 345
- Children and family services act, avoid out-of-home placement: HB 433, \*SHB 433, CH 192 (1983)
- Crime victim compensation, juvenile penalty may be modified: \*SSB 3022, CH 239 (1983)
- Custody, attorney malpractice or misrepresentation, new proceeding: HB 407
- Custody by law enforcement officers of abused children: \*SSB 3253, CH 246 (1983)
- Custody, interference with is a gross misdemeanor or felony: SSB 3387
- Custody, joint child custody provided for: HB 403, SHB 403, HB 695

**CHILDREN—cont.**

- Cystic fibrosis, insurance coverage, age limits and dependency exceptions: HB 472
- Day care registration: HB 350, SSB 3739
- Delinquency prevention services, treatment facilities, placement and procedures: HB 10
- Developmentally disabled, parent participation in care and training modifies assistance eligibility: \*HB 905, CH 310 (1983)
- Diagnostic and treatment facilities, placement and use: HB 10
- Driver's licenses, provisional licenses for under 18: HB 130
- Education programs for those confined in detention facilities: HB 241
- Emergency care facilities for minors: HB 829
- Family as cornerstone of society: HB 573
- Family courts, laws modified: HB 167, SHB 167
- Father's existence, procedure: HB 345, SHB 345
- Financial responsibility act, DSHS: HB 343
- Firewood distribution project: HB 212
- Fishing licenses, steelhead punchcard free if under 16: SSB 3800
- Foster care for developmentally disabled, court review: HB 906, \*SHB 906, CH 311 (1983)
- Foster care, group homes, goals: HB 573
- Future homemakers of America, leadership skills: HFR 15
- Glue sniffing, toxic vapors or fumes, category broadened: SB 3117
- Grandparents, visitation rights for grandchildren: HB 86
- Guardians, financial statements, filing requirements modified: \*SB 3763, CH 271 (1983)
- Handicapped children, preschool education provided: HB 168
- Handicapped training programs for children under 3: HB 196
- Health care consent: HB 703
- Health care providers, statute of limitations for minors modified: HB 483
- Hemophilia, insurance coverage, age limits and dependency exceptions: HB 472
- Incorrigible, classification created: HB 10
- Juvenile court system record procedures: HB 918
- Juvenile disposition standards, confinement not to exceed adult equivalent: HB 431, \*SHB 431, CH 191 (1983)
- Juvenile disposition standards, excess penalties if manifest injustice will result: \*SHB 431, CH 191 (1983)
- Juvenile disposition standards, one additional year for offenses using gun: HB 431
- Juvenile disposition standards, record destruction: \*SHB 431, CH 191 (1983)
- Juvenile disposition standards, release day, conditions: \*SHB 431, CH 191 (1983)
- Juvenile offender community service insurance fund: HB 417
- Juvenile offenders, community involvement, consolidated services: HB 349
- Juvenile offenders, health and dental care: \*SSB 3646, CH 267 (1983)
- Juvenile offenders, photographing, waiver of rights: \*SSB 3646, CH 267 (1983)
- Juvenile offenders, restitution may be part of plea bargain: HB 431, \*SHB 431, CH 191 (1983)
- Juvenile penalty, may be modified in crime victim compensation: \*SSB 3022, CH 239 (1983)
- Juveniles, financial recovery systems consolidated, DSHS: HB 742, HB 811
- Juveniles, if average daily population over 105%, reduce: HB 349
- Juveniles, security report, escapes, leaves, offenders: \*SHB 431, CH 191 (1983)
- Kidnapping, custodial interference, gross misdemeanor or felony: SSB 3387
- Mental health prevention projects for schools: HB 221
- Minors in tavern, contributory fault: HB 639
- Motor vehicle child restraints required: HB 66, \*SB 3203, CH 215 (1983)
- Nursery schools, preschools, kindergartens, safety regulation waiver: SSB 3739
- Parent liable for child's theft and fraud: SB 3119
- Parent locator service for custody and kidnapping: SSB 3387
- Parental responsibility act, DSHS recipients, inmates: HB 742, HB 811
- Placement, appeals from decision: \*SSB 3380, CH 50 (1983)

**CHILDREN**—cont.

- Placement decisions, modified only when show circumstances change: \*SSB 3253, CH 246 (1983)
- Pornography, access at newsstands regulated: HB 697
- Prostitution, classification enhanced if a minor participates: HB 29
- School attendance, compulsory age lowered to 6, increased to 17: HB 492
- School attendance compulsory unless the student is a parent or pregnant: HB 492
- Seat belts required: HB 66, SB 3203
- Shelters, emergency facilities: HB 829
- Sickle cell anemia, insurance coverage, age limits and dependency exceptions: HB 472
- Taverns and minors on premises, relative contributory fault: HB 639
- Truant school children, policy and procedures: HB 282, SHB 282
- Wrongful birth or wrongful life suits, prohibiting: HB 178, SHB 178
- X-rated movies shown to minors, penalties: HB 370
- Youth employment exchange: \*SHB 251, CH 50 E1 (1983)

**CHINA**

- Camaraderie with Pacific Northwest and Canada: HFR 96
- China exhibition council created: \*SHB 1089, CH 314 (1983)
- Trade barriers, mutual bilateral elimination: SSJM 112

**CHINN, WARREN L.**

- Member, horse racing commission: GA 94,  
confirmed ..... pp. 430, 537, 1996

**CHIROPRACTORS**

- Chiropractic disciplinary board, sunset termination: HB 493, \*SHB 493, CH 197 (1983)
- Health care service contracts to provide coverage: HB 336, \*SHB 336, CH 286 (1983)

**CHRISTCHURCH, NEW ZEALAND - GENERAL MANAGER AND TOWN CLERK**

- John H. Gray, introduced and addressed senate ..... p. 321

**CHORE SERVICES** (See HEALTH CARE AND SERVICES)**CHURCHES** (See RELIGION)**CIGARETTES** (See TOBACCO)**CITIES** (See also LAND USE PLANNING; STATE AND PUBLIC EMPLOYEES)

- Adult correctional facility construction projects exempted from local codes: HB 34
- Air navigation facilities, fire code responsibility: HB 903
- Annexation, all owners to give written consent: HB 581, \*SB 3858 CH 68 E1 (1983)
- Annexation, need consent to annex agricultural fair land: HB 777, SHB 777
- Aquatic plant control programs: \*HB 511, CH 291 (1983)
- Bike routes: HB 375
- Bonds, declaratory judgments, local governments, their agencies and instrumentalities: \*SSB 3637, CH 263 (1983)
- Bonds, registration of ownership: HB 390, \*SHB 390, CH 167 (1983)
- Border areas, additional funds: HB 159
- Buses, prohibited conduct: HB 538, SHB 538
- Cemetery improvement fund, principal and income may be used: HB 322
- Choke holds: SSB 3766
- City council, number of positions: \*SB 3140, CH 128 (1983)
- Community corporation, land use authority: HB 879
- Community rights act of 1983: HB 779
- Conservation analyses and financing authorized by electricity providers: SSB 3256
- Consolidated employers, retirement plan procedures: SSB 3226
- Consolidation with counties: HCR 2, SHCR 2
- Construction contracts, 2nd and 3rd class cities: HB 760
- Contractors, prequalification procedures: HB 749, SHB 749

## CITIES—cont.

- Correctional facility, inmate release, notice to witnesses, law enforcement, victims, 30 days prior: HB 307, SHB 307
- Court bonds, writs, not required of political subdivisions: HB 752
- Criminal victim programs established by prosecutor: HB 933
- Criminal justice cost reimbursements for crimes committed: \*SSB 4135, CH 279 (1983)
- Cumulative reserve fund may be established for revenue stabilization: \*HB 76, CH 173 (1983)
- Debt limitation, 1 1/2% of taxable property: HB 73
- Deferred compensation, participation by employees authorized: HB 618, \*SB 3840, CH 226 (1983)
- Drunk driver enforcement impact account: SHB 983
- Drunk drivers special detention facilities: \*SHB 289, CH 165 (1983), HB 367, SSB 3107
- DWI impact account created: \*SHB 289, CH 165 (1983)
- Economic development areas established: HB 917
- Economic development councils, matching funds, conditions: HB 580, SHB 580
- Economic recovery, participation with nonprofit corporations is a public purpose: SSB 3276
- Electric distribution political subdivisions may establish heating systems: HB 113, SHB 113, \*SB 3224, CH 216 (1983)
- Electric energy contracts, cannot commit beyond express dollar amount: \*SHB 865, CH 308 (1983)
- Electric energy contracts do not commit beyond local purpose: HB 865
- Electric generation of sewer and water system: HB 710
- Electric utility privilege tax: HB 913
- Electric utility service installation charge, customer may contract privately: \*SB 3392, CH 217 (1983)
- Electrical code, dispute with state submitted to arbitration: HB 895, \*SSB 3055, CH 206 (1983)
- Electrical utilities, conservation credits, model conservation standards: HB 930
- Enterprise zone act, local zoning displaced: HB 115
- Fees, fines, forfeitures, and penalties, uniformity in collection and distribution: HB 508
- Fees, fines, forfeitures, procedures for remittance to state treasurer: HB 510
- Fire chief excluded from civil service: HB 577
- Flood zone new construction, county or city is liable: HB 628
- Gambling tax rate lowered: HB 815
- Handicapped, utility rates reduced: HB 550
- Harbor areas and tidelands, percentage of lease money paid to towns: \*SSB 3066, CH 153 (1983)
- Hazardous materials incident command agency designation optional: SSB 3740
- Hazardous materials incidents, procedures, immunities: HB 505
- Health departments, county operated, monetary support: \*SSB 3490, CH 39 E1 (1983)
- Health departments, county owned, city contributions: HB 713, SHB 713
- Health districts: HB 509, SHB 509
- Hydroelectric development, irrigation districts and cities or public utility districts: \*SSB 3511, CH 47 (1983)
- Impounded automobiles, redemption procedures: \*SB 3846, CH 274 (1983)
- Incorporation of unincorporated areas lying within cities: HB 777, SHB 777
- Insurance coverage is not additional compensation: \*SSB 3079, CH 37 E1 (1983)
- Investments regulated: HB 547, \*SHB 547, CH 66 (1983)
- Lending of credit for public purposes modified: SHJR 41
- Levy for taxing, maximum amount deemed levied, 106% modified: HB 916
- Local improvement assessments, lien foreclosure: HB 659
- Local improvement district formation procedures modified: HB 392
- Local improvement protests: \*HB 753, CH 303 (1983)
- Marine transportation benefit area authority: HB 464
- Martin Luther King birthday, state and school holiday: HB 69

## CITIES—cont.

- Master permit process, environmental coordination: HB 165  
 Moorage and storage regulations, enforcement procedures: HB 211, \*HB 318, CH 188 (1983)  
 Motor carrier back taxes: HB 824  
 Motor vehicle excise tax, municipality authorized rate increased: HB 537  
 Motor vehicle excise tax revenue restrictions modified: HB 536  
 Motor vehicle fund distribution, maintenance of city streets, state aid approval: \*HB 285, CH 43 (1983)  
 Municipal clerks week: HFR 66  
 Neighborhood protection: HB 779  
 Noise levels, off-road vehicles, no standards in high-use parks: HB 562  
 Nuclear attack, need not include in emergency services plan: HB 89  
 Open public meetings, covers committees of governing bodies: \*SSB 3206, CH 155 (1983)  
 Police chief excluded from civil service: HB 577  
 Police power may be exercised if not in conflict with state law: HB 586  
 Prequality contractors: HB 749, SHB 749  
 Public depositaries, may deposit funds in certain: HB 547, \*SHB 547, CH 66 (1983)  
 Public improvement boundaries for tax purposes: HJR 28, HJR 32, SSSR 119  
 Public retirement, \$.67 increase for each year of creditable service: HB 51  
 Public transportation benefit area to include merged and annexed areas: \*HB 534, CH 65 (1983), SB 3847  
 Public transportation benefit areas may designate treasurer: HB 540, \*SHB 540, CH 151 (1983)  
 Public transportation, conduct: HB 538, SHB 538  
 Public transportation sales and use tax apportionment and distribution: HB 541  
 Public transportation, sales and use tax authority equalized: HB 535, SHB 535, SB 3834  
 Public works and improvements, bid if over \$50,000: HB 619  
 Purchase contracts by local governments, may consider tax revenue: HB 574  
 Purchasing, public disclosure: \*HB 74, CH 44 E1 (1983)  
 Purchasing that benefits municipal officer, limit raised: HB 74  
 Reserve fund, cumulative fund may be established for revenue stabilization: \*HB 76, CH 173 (1983)  
 Salaries must be lower than governor: SB 3427  
 Sales and use tax, additional tax: HB 158  
 Self-insurance, local government risk exposure studies: HB 531  
 Sewer and water hook up, equitable share of costs by property owners: HB 79, SHB 79  
 Small works roster, bids under \$50,000: HB 619  
 Speed limits, local regulation, not less than 12: SB 3191  
 State building code act: HB 557  
 State facilities, benefit from local services, reimburse city: HB 5  
 Storm water control facilities, public entities to pay rates and charges: \*SHB 1093, CH 315 (1983)  
 Storm water facilities, state to pay rates and charges if rates established: HB 601  
 Street improvement latecomer fees: \*SSB 3094, CH 126 (1983)  
 Street improvements, city may assist property owner: HB 393, \*SHB 393, CH 103 (1983)  
 Street maintenance, motor vehicle fund distribution: \*HB 285, CH 43 (1983)  
 Street vacation, salt or fresh water in proximity: HB 820  
 Streets and associated improvements, own, operate, construct, maintain, finance: HB 748  
 Surface mines, regulation: HB 480, SHB 480  
 Tax ordinances, petitions to repeal or alter, time: HB 263, \*SHB 263, CH 99 (1983)  
 Taxes, B&O and sales, local governments exempt: HB 529, HB 805  
 Taxes, B&O, hotel/motel tax, fund convention or trade centers: HB 806, SHB 806  
 Teachers' retirement, teachers in local government elective position may stay in system: HB 549  
 Torts against charter and noncharter cities, claim filing modified: HB 530

**CITIES**—cont.

- Traffic safety plan duties modified: \*SSB 3538, CH 14 E1 (1983)
- Transit employees, collective bargaining: SHB 985
- Utilities, in county, taxed at true and fair value: HB 654
- Utility rates, political subdivisions may reduce for low-income: SHB 550
- Vital services, benefit state agencies, reimburse city: HB 5
- Warrants for claims, issuance procedure: HB 374
- Water supply operators, certification changes: HB 548, \*SHB 548, CH 292 (1983), SSB 3395
- Zoning, residences, separate living quarters for relatives: SB 3777

**CITIZEN COUNCILORS COMMISSION**

- Citizen assessment and public information division created: HB 672
- Public participation in state government: HB 672

**CIVIL ACTIONS AND PROCEDURES** (See also ATTORNEYS)

- Administrative challenges, fees to successful party: HB 647
- Attachment and execution of personal property, exempt amount increased: SB 3408
- Bonds, declaratory judgments, local governments, their agencies and instrumentalities: \*SSB 3637, CH 263 (1983)
- Chattel, totally destroyed, recover replacement and loss of time: HB 723
- Child custody, joint provided for: HB 403, SHB 403, HB 695
- Constitutional or administrative challenges, fees to successful party: HB 647
- Contract reformation to reduce payments: HB 754
- Contractors, suits against, service procedures: HB 862, SHB 862
- Contributory fault, taverns and minors on premises: HB 639
- Counselor-patient privilege: HB 188
- Court reporters, in lieu may use electronic recording: HB 704
- Creditor claims against deceased person, 4 month filing period: \*HB 643, CH 201 (1983)
- Damages, no evidence allowed which apportions damages on per diem basis: HB 386
- Deadbeat lists: HB 533, \*SHB 533, CH 107 (1983)
- Deceased persons, creditor claims, 4 month filing period: \*HB 643, CH 201 (1983)
- Enforcement or collection of judgment, clerk's liability for delay removed: \*HB 428, CH 45 E1 (1983)
- Exclusionary rule modified, procedures: SHB 315
- Execution and attachment exemptions increased: \*HB 428, CH 45 E1 (1983), SB 3408
- Execution and redemption, personal property, real property: SSB 4111
- Fees allowable expanded: \*HB 428, CH 45 E1 (1983)
- Fees, list of what may be awarded in civil actions: HB 738
- Frivolous actions or defenses, attorney fees to prevailing party: HB 138, SB 3130
- Frivolous or without reasonable cause, plaintiff pays expenses: HB 647
- Hazardous materials incidents, good faith assistance, immunity: HB 505
- Health care providers, collateral source compensation evidence allowed: HB 381
- Health care providers, damage agreements to be told to court and jury: HB 380
- Health care providers, negligence, elements of proof modified: HB 385
- Health care providers, negligence, standard of care modified: HB 383, \*SHB 383, CH 149 (1983)
- Health care providers, standard of care modified: HB 384
- Health care providers, statute of limitations for minors modified: HB 483
- Homestead, powers of attorney, executed separately or jointly: \*SB 3426, CH 251 (1983)
- Homesteads, value increased to \$25,000: \*HB 428, CH 45 E1 (1983)
- Homesteads, value increased to \$30,000: SHB 521, SB 3447
- Homesteads, value increased to \$40,000: HB 521
- Industrial accidents, personal property damaged, claims: \*HB 817, CH 111 (1983)
- Interpreters, non-English speaking cultural background: HB 460, \*SB 3501, CH 222 (1983)
- Journalists, news source, confidentiality: HB 655

**CIVIL ACTIONS AND PROCEDURES—cont.**

- Judgment debtor special proceedings, fees allowable for failure to appear: \*HB 428, CH 45 E1 (1983)
- Judgments, rate of interest equalized: HB 328, \*SHB 328, CH 147 (1983)
- Jury duty, not more than once every five years: HB 197
- Jury duty, not more than twice every five years: \*SHB 197, CH 181 (1983)
- Justice of the peace, subpoena restrictions lessened: SB 4105
- Landowner liability, recreational users of land or water: HB 755
- Lie detector tests as conditions of employment: HB 449
- Local improvement assessments, lien foreclosure: HB 659
- Malicious prosecution, renamed wrongful civil proceedings, damages: HB 388
- Malicious prosecution, suits filed against public officials, remedy: SB 3437
- Nurse-patient privilege: HB 688
- Personal injuries, drunk driving: HB 960
- Physician-patient privilege waived in actions against provider: HB 382
- Public records, how state retrieves illegally held records: SHB 478
- Public works contracts, nonperformance, remedies: HB 750
- PUD commissioner immunity: HB 898
- Rent, welfare recipient tenant, collection procedures: HB 3
- Satisfaction of judgments, must designate judgment creditor and debtor: \*HB 174, CH 28 (1983)
- Settlement offers, served on adverse party 10 days prior to trial: \*SHB 116, CH 282 (1983)
- Settlement offers, served on adverse party 5 days prior to trial: HB 116
- Small claims court judgment enforcement: \*SSB 3494, CH 254 (1983)
- Small claims, judgment collection procedures: HB 554, SHB 554
- Statute of limitations for minors against health care providers: HB 483
- Subpoena, restrictions regarding justice of the peace lessened: SB 4105
- Taverns, minors on premises, relative contributory fault: HB 639
- Torts against charter and noncharter cities, claim filing modified: HB 530
- Torts of state, judgment forwarded to ways and means: HB 823
- Underground utilities, damage procedures: HB 857
- Uniform conflict of laws-limitations act: \*HB 925, CH 152 (1983)
- Uniform unclaimed property act enacted: HB 179, \*SHB 179, CH 179 (1983)
- Waste disposal violation, civil action authorized, attorney fees: \*SHB 64, CH 172 (1983)
- Wills, statutory will adopted: HB 684
- Wiretaps by federal employees authorized for drugs: HB 315
- Wiretaps for drugs by state or subdivisions: SHB 315
- Workers' compensation award or settlement distribution to department, worker, self-insurer: \*SSB 3127, CH 211 (1983)
- Workers' compensation awards to receive interest if appealed successfully: \*HB 683, CH 301 (1983)
- Wrongful birth or wrongful life suits, prohibiting: HB 178, SHB 178
- Wrongful civil proceedings, malicious prosecution renamed, damages: HB 388

**CIVIL DEFENSE (See EMERGENCY SERVICES)****CIVIL SERVICE (See STATE AND PUBLIC EMPLOYEES)****CLALLAM COUNTY**

Olympic county created: HB 372, SB 3264

**CLARK, DR. BARNEY**

Governor proclamation . . . . . p. 1093

Mrs. Barney Clark introduced and addressed senate . . . . . p. 1094

**CLARK COLLEGE**

Southwest Washington joint center for education, technology training: HB 869, \*2SSB 3155, CH 72 E1 (1983)

**CLARK COMMUNITY COLLEGE DISTRICT 14, BOARD OF TRUSTEES**

Yvonne C. Montchalain, member: GA 53, confirmed . . . . . pp. 31, 482, 601



**CLARKE, SENATOR GEORGE W.**

Appointed member financial institutions, judiciary and rules committees	p. 34
Parliamentary inquiry, permanent rules	p. 96
Parliamentary inquiry, joint rules	p. 325
Parliamentary inquiry, conference members	p. 326
Point of order, EHB 1075	p. 432
Remarks, SSB 3414	p. 484
Parliamentary inquiry, reconsideration motion	p. 485
Parliamentary inquiry, untimely motion	p. 673
Parliamentary inquiry, cut-off resolution	p. 729
Point of order, SSB 3183	p. 745
Point of order, SSB 4137	p. 841
Point of order, separate motions	p. 1115
Point of order, HJR 27	p. 1116
Remarks, rules vote on HJR 27	pp. 1117, 1119, 1121
Remarks, SCR 124	p. 1126
Point of order, SHB 117	p. 1280
Remarks, SHB 117	p. 1280
Parliamentary inquiry, vote on EHB 620	p. 1384
Parliamentary inquiry, order of motions	p. 1477
Parliamentary inquiry, roll call E2SSB 3245	p. 1490
Remarks, President's authority to sign	p. 1613
Remarks, open session	p. 1619
Remarks, daylight saving time	p. 1621
Parliamentary inquiry, amendments to SB 3090	p. 1647
Point of order, cut-off SSB 3628	p. 1699
Point of order, ESB 4089	p. 1719
Parliamentary inquiry, President's ruling	p. 1720
Point of order, scope and object EHB 428	p. 1746
Point of order, EHB 399	p. 1768
Point of order, scope and object SB 3044	p. 1793
Remarks, three minute rule	p. 1795
Point of order, ESHB 796	p. 1805
Parliamentary inquiry, SSB 3520	p. 1831
Parliamentary inquiry, conference report SSB 4245	p. 2293
Appointed member interim committees LBC and organized crime advisory board	p. 2428
Parliamentary inquiry, shortest session	p. 2441

**CLIFFORD, CHIEF ARTHUR F.**

Member, sentencing guidelines commission: GA 31, confirmed	pp. 26, 1303, 1996, 2012
---------------------------------------------------------------	--------------------------

**CODE REVISER**

Correction of double amendments: *SB 3036, CH 2 (1983), *SB 3184, CH 244 (1983)
Correction of misplaced statutory reference and clerical error: *SB 3039, CH 5 (1983)
Correction of obsolete references: *SB 3037, CH 3 (1983)
Correction of obsolete statutory references to the utilities and transportation commission: *SB 3038, CH 4 (1983)
Cutoff dates established: SCR 103
Gender-neutral language in all rules and publications: HB 321, *SB 3613, CH 20 (1983)
Plain language in state agency documents: HB 874
Plain language in state statutes and rules, Flesch test: HB 875
Rule of construction, severability, person or circumstance, act not invalidated: HB 707
Session law publication, appropriation request: *HB 725, CH 10 E1 (1983)
Severability, person or circumstance, act not invalidated: HB 707

**COGENERATION (See ENERGY)**

**COLE, EUNICE**

President, American nurses association, introduced  
and addressed senate . . . . . p. 117

**COLLECTION (See CIVIL ACTIONS AND PROCEDURES; DEBTS)****COLLECTIVE BARGAINING (See LABOR RELATIONS; STATE AND PUBLIC EMPLOYEES)****COLLEGES AND UNIVERSITIES**

Academic program termination, review procedures: HB 621, SHB 621  
Age, 18 full age for entering and attending, may not require student housing: HB 90  
Alcohol awareness program funded by penalty assessments: SSB 3617  
Capital improvement bonds authorized: \*HB 56, CH 58 E1 (1983)  
Collective bargaining and other procedures authorized: SSB 3042  
Collective bargaining, higher education personnel board is authorized: HB 128  
Collective bargaining power transferred to public employment relations commission: HB 792  
Comparable worth in salary schedules: \*SSB 3248, CH 75 E1 (1983)  
Continuing education credential conditions, exemptions: \*SB 3644, CH 266 (1983)  
Council for postsecondary education, review degree programs: HB 497, SHB 497  
Courses, name and number system to facilitate transfers: HB 790  
Degree programs, review by council for postsecondary education: HB 497, SHB 497  
Draft registration proof, required for acceptance: HB 93  
Emergency financial problems, transfer of money from institutional loan fund to school's funds: HB 53  
Employment needs commission authorized: HB 206  
Exempt position, eliminates right of reversion: HB 134, SHB 134  
Faculty peer review committees, immunity: HB 915, SHB 915  
Financial aid, factors to consider: \*2SHB 693, CH 64 E1 (1983)  
Financial aid, may use long-term loan fund: HB 693, SHB 693, \*2SHB 693, CH 64 E1 (1983), SB 4089  
Financial aid, need-based, funded by operating fees: SHB 640  
Higher education facility authority, financing for private nonprofit institutions: \*SSB 3433, CH 169 (1983)  
Higher education personnel board meetings: \*HB 83, CH 23 (1983)  
Higher education personnel board powers transferred to public employment relations commission: HB 792  
Higher education personnel board transferred to state personnel board: HB 778  
High-technology education and training act: HB 869, \*2SSB 3155, CH 72 E1 (1983)  
Intercollegiate center for nursing, employee fee waiver: \*SB 3448, CH 220 (1983)  
Labor relations, collective bargaining and other procedures authorized: SSB 3042  
Layoffs and reemployment, seniority prevails: HB 134, SHB 134  
LEOFF, children tuition benefit age lowered: HB 856, SHB 856  
Loans for teachers in math and science: \*2SSB 4102, CH 74 E1 (1983)  
Long-term loan fund may be used locally for financial aid: HB 693, SHB 693, \*2SHB 693, CH 64 E1 (1983), SB 4089  
Management employees, defined for civil service: HB 134, SHB 134  
Operating fees to be used solely for schools: HB 299  
Pay period, twice a month: HB 295, SHB 295, \*2SHB 295, CH 28 E1 (1983)  
Payroll deductions authorized: HB 665  
Performance evaluation procedure to be instituted: HB 134, SHB 134  
Performance evaluations, supervisor responsibility, liability: SHB 134  
Personal service contracts, purchasing conditions: HB 405  
Public retirement, \$.67 increase for each year of creditable service: HB 51  
Public retirement, \$.74 increase for each year of creditable service: \*SHB 51, CH 56 E1 (1983), HB 495, SHB 495, SB 3910  
Purchasing, contracted services, conditions: HB 405  
Purchasing, emergency procedures, limits: \*HB 208, CH 141 (1983), SB 3412  
Reciprocity with Idaho, and British Columbia: HB 306, SHB 306, HB 409, \*SB 3492, CH 166 (1983)

**COLLEGES AND UNIVERSITIES—cont.**

- Reciprocity with Oregon: HB 408, \*SHB 409, CH 104 (1983)  
 Resident student, definition modified: HB 334, \*SHB 334, CH 285 (1983), HB 335, SB 3306  
 Retirement, employer may pay the employee contribution: HB 218  
 Retirement, salary computation does not include certain employee contributions: HB 218  
 Retirement system, service period computation modified: HB 16, \*SHB 16, CH 69 (1983), SSB 3062  
 Science stressed, eliminate duplication, prioritize: HCR 8  
 Social security system withdrawal authorized: HB 830  
 Student housing is not mandatory: HB 90  
 Teacher education, math and science, loans: HB 951  
 Teacher education, math, science, foreign language, requirements: HB 950  
 Teachers in math and science, loans: \*2SSB 4102, CH 74 E1 (1983)  
 Teachers, math and science, scholarships: HB 952  
 Technology training fund and nonprofit corporation created: HB 75  
 Temporary committee on educational policies, structure, and management, deadline extended: \*HB 430, CH 105 (1983)  
 Traffic infractions on campus, jurisdiction and appeals: \*SSB 3453, CH 221 (1983)  
 Transfer of credit, state-wide policy and agreement: \*SHB 790, CH 304 (1983)  
 Transfer of credits, course number system enhanced to facilitate: HB 790  
 Tuition and fee refund procedure: \*SB 3531, CH 256 (1983)  
 Tuition and fees, formula for increasing: HB 640, SHB 640  
 Tuition exemption, LEOFF, age lowered: HB 856, SHB 856  
 Tuition increase exemption, Vietnam veterans, extended to 1989: HB 848, \*SHB 848, CH 307 (1983), SSB 3589  
 Tuition, nonresident exemption for military personnel children and spouse: HB 133, HB 335  
 Tuition, nonresident exemption, military personnel, spouse and dependents: SB 3044  
 Tuition, nonresident exemption, participants in federal job corps: SB 3044  
 Tuition, reciprocity with Idaho and British Columbia: HB 306, SHB 306, \*SB 3492, CH 166 (1983)  
 Tuition reciprocity with Oregon, conditions: HB 409, \*SHB 409, CH 104 (1983)  
 Tuition refund, withdraw for medical reasons: \*SB 3531, CH 256 (1983)  
 Tuition, two credit hour category removed: HB 532  
 Tuition, 18 hours or more, additional fee deleted: HB 333, HB 335  
 Unemployment compensation is not provided for recipients of financial aid: HB 437  
 Unemployment compensation, retroactive benefits, modifications: \*SSB 3311, CH 23, E1 (1983)  
 UW building account, funds transferred from resource management cost account: HB 470, \*SHB 470, CH 17 E1 (1983)  
 Vietnam veteran tuition increase exemption extended to 1989: HB 848, \*SHB 848, CH 307 (1983), SSB 3589  
 Workers' compensation is not provided for recipients of financial aid: HB 437  
 Workshops, seminars, credentials and conditions: \*SB 3644, CH 266 (1983)

**COLUMBIA BASIN COMMUNITY COLLEGE DISTRICT 19, BOARD OF TRUSTEES**

David Shaw, member: GA 59 ..... p. 32

**COLUMBIA RIVER**

- Crossing the bar, channel improvement: HFR 21  
 Gorge, refrain from imposing federal control: HJM 18, SJM 110  
 Salmon fishing, commercial, prohibited below Bonneville dam: HB 291, \*SSB 3217, CH 245 (1983)  
 Sturgeon fishing with a set line, endorsement necessary: \*HB 674, CH 300 (1983)

**COMMERCE AND ECONOMIC DEVELOPMENT (See also ECONOMIC RECOVERY)**

China exhibition council created: \*SHB 1089, CH 314 (1983)

**COMMERCE AND ECONOMIC DEVELOPMENT—cont.**

- Commerce and community development department created: HB 796
- Community development finance corporation established: HB 213, SHB 213
- Economic and community development department created: SHB 796
- Economic development councils, matching funds, conditions: HB 580, SHB 580
- Employment stabilization, employers give one year notice prior to layoffs: HB 694
- Enterprise zone act: HB 115
- Export assistance centers: HB 226, SHB 226, \*2SHB 226, CH 20 E1 (1983)
- High technology in south Puget Sound: HB 565, SHB 565
- Investment projects, sales tax deferrals: HB 161
- Small business improvement council: SSB 3982
- Sunset termination: HB 493, \*SHB 493, CH 197 (1983)
- Technology training fund and nonprofit corporation created: HB 75
- Tourism promotion funding restored: HB 833
- Tourist promotion duties, diversity of resources, business executive visitations: HB 450
- World expo of 1986, state participation: \*HB 164, CH 177 (1983)

**COMMERCIAL BUILDINGS (See BUILDINGS)****COMMON CARRIERS (See also UTILITIES AND TRANSPORTATION COMMISSION)**

- Back taxes of motor carriers: HB 824
- Clean up of hazardous material incidents, liable for extraordinary costs: SSB 3740
- Commercial vehicles, proportional registration: SB 3135
- Contract carriers, license plates reduced to one: HB 4
- Courier services of 100 pounds or less exempt: HB 877
- Hazardous materials exempt from motor freight carrier law: HB 819
- Hazardous materials incident command agency designation optional: SSB 3740
- Hazardous materials incidents, procedures, immunities: HB 505
- Hazardous materials transport, common and contract carrier law applies to private carriers: HB 33
- Industrial insurance coverage, allowed for interstate and certain intrastate traffic: \*HB 23, CH 170 (1983)
- License fee refunds, modification: HB 143, \*SHB 143, CH 26 (1983)
- License plates, number reduced to one: HB 4
- Motor freight carriers, safety and handling of hazardous materials: HB 33
- Railroad track motor car, yellow or orange flashing warning light: HB 204
- Safety and weight regulation consolidated in WSP: HB 819
- School buses, axle requirements: SHB 1017
- Size, load restrictions, conformity with federal standards: HB 769, \*SB 4112, CH 278 (1983)
- Weight control division of WSP transferred to WUTC: HB 837
- Weight limits depending on axle number for garbage trucks: \*SB 3076, CH 68 (1983)

**COMMUNITY COLLEGES**

- Academic program termination, review procedures: HB 621, SHB 621
- Age, 18 full age for entering and attending, may not require student housing: HB 90
- Alcohol awareness program funded by penalty assessments: SSB 3617
- Capital improvement bonds authorized: \*HB 56, CH 58 E1 (1983)
- Collective bargaining and other procedures authorized: SSB 3042
- Collective bargaining, higher education personnel board is authorized: HB 128
- Collective bargaining power transferred to public employment relations commission: HB 792
- Comparable worth in salary schedules: \*SSB 3248, CH 75 E1 (1983)
- Continuing education credential conditions, exemptions: \*SB 3644, CH 266 (1983)
- Courses, name and number system to facilitate transfers: HB 790
- Draft registration proof, required for acceptance: HB 93
- Emergency financial problems, transfer of money from institutional loan fund to school's funds: HB 53
- Employment needs commission authorized: HB 206

## COMMUNITY COLLEGES—cont.

- Exempt position, eliminates right of reversion: HB 134, SHB 134  
 Faculty peer review committees, immunity: HB 915, SHB 915  
 Financial aid, factors to consider: \*2SHB 693, CH 64 E1 (1983)  
 Financial aid, may use long-term loan fund: HB 693, SHB 693, \*2SHB 693, CH 64 E1 (1983), SB 4089  
 Financial aid, need-based, funded by operating fees: SHB 640  
 Higher education facility authority, financing for private nonprofit institutions: \*SSB 3433, CH 169 (1983)  
 Higher education personnel board meetings: \*HB 83, CH 23 (1983)  
 Higher education personnel board powers transferred to public employment relations commission: HB 792  
 Higher education personnel board transferred to state personnel board: HB 778  
 High-technology education and training act: HB 869, \*2SSB 3155, CH 72 E1 (1983)  
 Industrial training program: HB 662  
 Joint ad hoc committee on community college financing and governance: SCR 116  
 Labor relations, collective bargaining and other procedures authorized: SSB 3042  
 Layoffs and reemployment, seniority prevails: HB 134, SHB 134  
 LEOFF, children tuition benefit age lowered: HB 856, SHB 856  
 Loans for teachers in math and science: \*2SSB 4102, CH 74 E1 (1983)  
 Long-term loan fund may be used locally for financial aid: HB 693, SHB 693, \*2SHB 693, CH 64 E1 (1983), SB 4089  
 Management employees, defined for civil service: HB 134, SHB 134  
 Operating fees to be used solely for schools: HB 299  
 Pay period, twice a month: HB 295, SHB 295, \*2SHB 295, CH 28 E1 (1983)  
 Payroll deductions authorized: HB 665  
 Performance evaluation procedure to be instituted: HB 134, SHB 134  
 Performance evaluations, supervisor responsibility, liability: SHB 134  
 Personal service contracts, purchasing conditions: HB 405  
 Public retirement, \$.67 increase for each year of creditable service: HB 51  
 Public retirement, \$.74 increase for each year of creditable service: \*SHB 51, CH 56 E1 (1983), HB 495, SHB 495, SB 3910  
 Purchasing, contracted services, conditions: HB 405  
 Purchasing, emergency procedures, limits: \*HB 208, CH 141 (1983), SB 3412  
 Reciprocity with Idaho and British Columbia: HB 306, SHB 306, \*SB 3492, CH 166 (1983)  
 Reciprocity with Oregon: HB 409, \*SHB 409, CH 104 (1983)  
 Reduction in force procedures: HB 117, SHB 117  
 Resident student, definition modified: HB 334, \*SHB 334, CH 285 (1983), HB 335, SB 3306  
 Retirement, employer may pay the employee contribution: HB 218  
 Retirement, salary computation does not include certain employee contributions: HB 218  
 Retirement system, service period computation modified: HB 16, \*SHB 16, CH 69 (1983), SSB 3062  
 Science stressed, duplication eliminated, prioritize: HCR 8  
 Social security system withdrawal authorized: HB 830  
 Teacher education, math and science, loans: HB 951  
 Teacher education, math, science, foreign language requirements: HB 950  
 Teachers in math and science, loans: \*2SSB 4102, CH 74 E1 (1983)  
 Teachers, math and science, scholarships: HB 952  
 Technology training fund and nonprofit corporation created: HB 75  
 Temporary committee on educational policies, structure, and management, deadline extended: \*HB 430, CH 105 (1983)  
 Traffic infractions, on campus, jurisdiction, appeals: \*SSB 3453, CH 221 (1983)  
 Transfer of credit, state-wide policy and agreement: \*SHB 790, CH 304 (1983)  
 Transfer of credits, course number system enhanced to facilitate: HB 790  
 Trustees, removal for inefficiency, neglect of duty, or malfeasance: \*SB 3532, CH 224 (1983)  
 Tuition and fee refund procedure: \*SB 3531, CH 256 (1983)

**COMMUNITY COLLEGES—cont.**

- Tuition and fees, formula for increasing: HB 640, SHB 640  
 Tuition exemption, LEOFF, age lowered: HB 856, SHB 856  
 Tuition increase exemption, Vietnam veterans, extended to 1989: HB 848, \*SHB 848, CH 307 (1983), SSB 3589  
 Tuition, nonresident exemption for military personnel children and spouse: HB 133, HB 335  
 Tuition, nonresident exemption, military personnel, spouse and dependents: SB 3044  
 Tuition, nonresident exemption, participants in federal job corps: SB 3044  
 Tuition reciprocity with Idaho and British Columbia: HB 306, SHB 306, \*SB 3492, CH 166 (1983)  
 Tuition reciprocity with Oregon, conditions: HB 409, \*SHB 409, CH 104 (1983)  
 Tuition refund, withdraw for medical reasons: \*SB 3531, CH 256 (1983)  
 Tuition, two credit hour category removed: HB 532  
 Tuition, 18 hours or more, additional fee deleted: HB 333, HB 335  
 Unemployment compensation is not provided for recipients of financial aid: HB 437  
 Unemployment compensation, retroactive benefits, modifications: \*SHB 311, CH 23, E1 (1983)  
 Vietnam veteran tuition increase exemption extended to 1989: HB 848, \*SHB 848, CH 307 (1983), SSB 3589  
 Workers' compensation is not provided for recipients of financial aid: HB 437  
 Workshops, seminars, credentials and conditions: \*SB 3644, CH 266 (1983)

**COMMUNITY COLLEGE EDUCATION, STATE BOARD**

- Robert T. Greene, member: GA 6 ..... p. 22  
 Phillip S. Hayes, member: GA 7, confirmed ..... pp. 22, 2305, 2323  
 F. George Warren, member: GA 75, confirmed ..... pp. 99, 2306

**COMMUNITY ECONOMIC REVITALIZATION BOARD**

- Economic development councils, matching funds, conditions: HB 580, SHB 580  
 Grant and loan criteria: HB 245, SHB 245, \*2SHB 245, CH 60 E1 (1983)  
 Investment projects, sales tax deferrals: HB 161  
 Investment tax deferral program: HB 108

**COMMUNITY SERVICES**

- Community action council, weatherization or home repair assistance, tax deduction: HB 160, \*SSB 3244, CH 66 E1 (1983)  
 School community service districts: HB 461

**COMPARABLE WORTH (See DISCRIMINATION)****COMPREHENSIVE PLAN (See LAND USE PLANNING)****CONCURRENT RESOLUTIONS**

- Alcohol-related problems, joint select committee to study funding: HCR 18  
 Andrew W. Anderson recreational fishing area: SCR 118  
 Arts, joint legislative committee established: SCR 129  
 Business and jobs creation commission created: HCR 7  
 City-county consolidation legislation: HCR 2, SHCR 2  
 Community college financing, joint ad hoc committee: SCR 116  
 Comparable worth, joint committee established: HCR 25, SCR 131  
 Economic development and job creation emergency commission established: HCR 6, SHCR 6  
 Expo '86 international planning meeting delegates: SCR 122  
 Government reorganization studied: SSCR 113  
 Governor notified that legislature is organized: HCR 21  
 Governor notified that 48th legislative session begins: HCR 1  
 Health care and preventative medicine, legislative study committee: HCR 15  
 Health care cost containment study: SSCR 112  
 Health care financing joint committee: SCR 121  
 Higher education to reprioritize to stress science/technology: HCR 8  
 History contest: SCR 105

**CONCURRENT RESOLUTIONS—cont.**

- HJM 16, exempted from applicable cutoff date: SCR 124
- Indian affairs, joint select committee: HCR 17, SCR 123
- Industry and job retention study: HCR 27
- International trade, tourism, and investment, joint select legislative committee: SCR 127
- Investment fund to provide increased mortgage capital: SCR 126
- Joint rules of the legislature adopted: HCR 11
- Joint session, WPPSS: HCR 26
- Labor and industries Olympia area offices consolidation: SCR 133
- Legislative cutoff dates: SCR 103, SCR 125
- Legislative measures returned to their house of origin: HCR 28
- Martin Luther King, Jr., dedicate state convention center to: HCR 5
- Memorial service for deceased legislative members: HCR 9
- Nisqually river corridor, management plan: HCR 14
- Pacific Northwest Trade Expo commended: HCR 10
- Peace and conflict resolution, national academy: HCR 12
- Pend Oreille railroad repair: SCR 119
- Public retirement, joint interim committee: HCR 24, SCR 134
- Rosalynn Sumners congratulated: SCR 108
- Salmon allocation plan modification: HCR 13
- Science and technology, joint ad hoc committee continued: SCR 101
- Science and technology, joint ad hoc committee for information system: HCR 3
- Seattle-First National Bank crisis, joint select committee created: SCR 128
- Second extraordinary session, 4 bills to consider: HCR 30
- Sine die, all unfinished bills to house of origin: HCR 20
- Sine die of extraordinary session: HCR 29
- Sine die, regular session: HCR 19
- State ship: HCR 4
- Telecommunications regulation, joint select committee: SSCR 120
- Transportation topics assigned to transportation committees: SCR 130
- Washington, Idaho, Oregon, joint committee: HCR 16
- Washington, Oregon, Idaho mutual concerns joint committee: HCR 16
- WPPSS financial situation resolution: SCR 107
- WPPSS, joint session: HCR 26

**CONDEMNATION (See REAL PROPERTY)****CONDOMINIUMS (See REAL PROPERTY)****CONGRESS**

- Modifying the 12th and 13th districts: HB 243
- Redistricting act enacted: \*SSB 3112, CH 16 (1983)
- Redistricting, commission established: HB 14, HB 20, \*SHB 20, CH 6 (1983), HB 38, HJR 3, HJR 7, HJR 8, \*SSB 3112, CH 16 (1983), SSSJR 103
- Redistricting, congressional district boundaries specified: HB 12, HB 13, HB 18
- Redistricting in accordance with SHB 20: \*SHB 1038, CH 17 (1983)

**CONNER, SENATOR PAUL**

- Appointed member, natural resources, social and health services, rules and transportation committees ..... p. 34
- Appointed interim committee member, LTC ..... p. 2428

**CONOLEY, KAREN B.**

- Member, board of prison terms and paroles:
  - GA 25, confirmed ..... pp. 106, 508, 1996, 1999

**CONSERVATION (See also ECOLOGY, DEPARTMENT OF; ENERGY; ENVIRONMENT)**

- Agricultural district formation authorized: HB 690
- Arbor day: HFR 54
- Civilian conservation corps called for: HJM 15
- Civilian conservation corps, former members to receive lifetime passes: HB 459
- Columbia river gorge, refrain from imposing federal control: HJM 18, SJM 110

**CONSERVATION—cont.**

Commission, membership increased, director of agriculture ex officio: HB 272  
 Conservation corps established: HB 330  
 Conservation corps established within many agencies: \*SSB 3624, CH 40 E1 (1983)  
 Conservation easements authorized: SB 3310  
 Conservation futures, certain holdings exempt from ad valorem taxation: HB 692  
 Districts, natural and renewable resource responsibility: HB 272  
 Electromagnetic spectrum, preserve for state benefit: HB 744, 2SSB 3768  
 Employment and conservation corps: HB 251  
 Hot water heater thermostat setback: HB 177, \*SHB 177, CH 178 (1983), SSB 3277  
 Litter control and recycling act: \*SSB 4107, CH 277 (1983)  
 Litter control and recycling advisory committee: HB 929  
 Litter control fine increased: \*SSB 4107, CH 277 (1983)  
 Litter, resource conservation, litter defined: HB 929  
 Matching grant program, conservation commission and districts: HB 272  
 Motor oil to be recycled: HB 252, SHB 252, HB 802, \*SSB 4201, CH 137 (1983)  
 Natural resource management hampered by federal government: HB 638  
 Nisqually Delta and Sequim Bay retained on sanctuaries list: HB 686  
 Oil and gas severance and conservation act: 2SSB 3187  
 Oil, motor oil to be recycled: HB 252, SHB 252, HB 802, \*SSB 4201, CH 137 (1983)  
 Oil recycling tanks: HB 873  
 Pollution authority of DOE modified: \*SB 3674, CH 270 (1983)  
 Real property status, no transfer tax penalty: \*HB 256, CH 41 (1983)  
 Youth employment exchange: \*SHB 251, CH 50 E1 (1983)

**CONSTITUTIONAL AMENDMENTS**

Budget, balanced budget called for: HJR 4  
 Constitutional amendment proposed, title only: HJR 41  
 Current use valuation for vacant lots and single family residences: HJR 20  
 Deficit spending prevented: HJR 14  
 District of Columbia voting rights: HJR 27  
 Education funding, tax levy limit modified: HJR 33  
 Education, legislatures duty to fund sufficiently: HJR 33  
 Energy financing for conservation: HJR 19, SHJR 19, SSJR 112  
 Food and drugs, sales and use tax prohibited: HJR 25  
 Gasoline excise tax revenues may be used for public transportation: HJR 6  
 Governor, reorganization of executive branch: HJR 13  
 Harbor leases, lease period for wharves and docks extended to 50 years: HJR 10  
 Harbor leases, lease period for wharves and docks extended to 55 years: SJR 105  
 Home loans for veterans: HJR 15  
 Homestead partial property tax exemption: HJR 38  
 House of representatives terms increased to 4 years: HJR 17, HJR 21, HJR 22  
 Income tax in lieu of B&O tax: HJR 37  
 Income tax, persons and corporations, conditions: HJR 26  
 Income tax, uniform tax after business expenses deducted: HJR 1  
 Initiative reform act of 1983: HJR 39  
 Initiatives, review or amend, prohibition time extended: HJR 36  
 Legislative terms, longer, staggered: HJR 17  
 Legislative terms, 4 years for house, 6 years for senate: HJR 21  
 Lending of credit for public purposes modified: SHJR 41  
 Public corporations to provide capital funds: HJR 24  
 Public improvement debts through ad valorem taxes: HJR 16  
 Public improvement financing, property tax increases: HJR 28, HJR 32, SSJR 119  
 Redistricting, state legislative and congressional districts, commission established: HJR 3, HJR 7, HJR 8, SSJR 103  
 Retirement systems, full funding: HJR 2  
 Retirement systems, full funding by state: HJR 5  
 Revenue increase limitation: HJR 40  
 Revenue, not to exceed 50% of the average personal income growth: HJR 40  
 Sales and use taxes on food and drugs prohibited: HJR 25



**CONSTITUTIONAL AMENDMENTS—cont.**

- School district excess levies, removing 40% validation requirement: HJR 29, SHJR 29
- School district excess levies, 3/5ths majority required: SHJR 29
- School district levies, simple majority vote: HB 774, HJR 18, HJR 31
- Senators, house of representatives, 6 and 4 year terms respectively: HJR 17, HJR 21, HJR 23
- State bank created: HJR 34
- State employees salaries or benefits, law or collective bargaining, paid from state treasury: HJR 12
- Superior court judge election provision repealed: HJR 11
- Tax increases, no new or increase for 1 year after December 31, 1983: HJR 30
- Title only: HJR 41
- Unicameral legislature: HJR 9
- Voters, nonresidential, obsolete provision repealed: HJR 35

**CONSUMER PROTECTION (See also LANDLORD TENANT)**

- Anti-trust/consumer protection improvements act: \*SHB 458, CH 288 (1983)
- Automobile dealers, unfair practices filing period: HB 142
- Automobile repairs, estimate alternatives, liens, parts: HB 489
- Automobile warranties and repair: SHB 840, \*SSB 3034, CH 240 (1983)
- Consumer counselor: HB 563, SHB 563
- Consumer finance companies, fees and charges: \*SSB 4066, CH 227 (1983)
- Consumer goods, warranties: HB 840
- Consumer utility board: HB 563, SHB 563
- Coupons, distributed through newspapers or attached to packages: \*HB 219, CH 40 (1983), SB 3082
- Credit file access and accurate reporting: HB 311, SHB 311
- Gasoline pricing, deceptive methods prohibited: \*SSB 4034, CH 114 (1983)
- Health studios, regulating: SSB 3021
- Hearing aid fitting and dispensing: \*HB 198, CH 39 (1983)
- Hot water heater thermostat setback: HB 177, \*SHB 177, CH 178 (1983), SSB 3277
- Leases, consumer leases not a loan or forbearance: HB 92, \*SSB 3299, CH 158 (1983)
- Life insurance, designated beneficiaries, "insured" for consumer protection suits: HB 507
- Lottery, unfair acts prohibited: SSB 3814
- Real estate broker compensation agreement, form requirements: HB 599
- Real estate brokers and salesmen, violation of law triggers consumer protection act: HB 599, HB 600
- Real estate commission membership increased to include consumers: HB 599, HB 604
- Real estate conveyance consumer protection without cost act: HB 602
- Real estate forms to state commissions are negotiable: HB 603, SHB 603
- Sexual orientation, may not discriminate: HB 556
- Time share regulation: HB 927, \*SB 3188, CH 22 E1 (1983)
- Toll-free telephone line maintained by consumer credit reporting agencies: SHB 311
- Unfair business practices—consumer protection act, penalties increased: HB 458, SHB 458
- Unfair practices act, repealed: HB 458, SHB 458
- Warranties, maintenance of repair facilities: HB 840

**CONTINUING EDUCATION (See EDUCATION)****CONTRACT CARRIERS (See COMMON CARRIERS)****CONTRACTORS (See also GENERAL ADMINISTRATION)**

- Competitive sealed proposals for state agencies: HB 286
- Construction, 2nd and 3rd class cities: HB 760
- Electric utility service installation, customer may contract privately: SB 3392
- Ferry contractors, prequalification procedures: \*SB 3250, CH 133 (1983)
- Industry and job retention study: HCR 27

**CONTRACTORS**—cont.

- Lawsuits against, service procedures: HB 862, SHB 862
- Mechanics/materialmen liens, protect subcontractors and claimants: HB 914
- Minority and women-owned businesses, participation enhanced: HB 163, SHB 163, \*SSB 3230, CH 120 (1983)
- Nursing homes, community-based care: HB 850, \*SSB 3757, CH 236 (1983)
- Out of state vendors, adding premium to bids of vendors with preferences: HB 232, \*SHB 232, CH 183 (1983), SB 3422
- Out of state vendors, purchasing preferences, reciprocity: \*SHB 232, CH 183 (1983)
- Prequalification for municipalities: HB 749, SHB 749
- Public works contracts to include lien for protection of owner: HB 217
- Public works, nonperformance: HB 750
- Registration fees: \*SSB 3053, CH 74 (1983)
- Registration renewal and issuance: HB 862, SHB 862
- Registration, violation of law, procedures and penalties: \*SSB 3056, CH 2 E1 (1983)
- Security deposit, cash deposit, bond, required: HB 862, SHB 862
- Underground utilities, damage procedures: HB 857
- Worker's compensation definition of worker modified: \*HB 175, CH 97 (1983)
- WSDOT contract authority, indemnity provisions: \*HB 184, CH 29 (1983)

**CONVENTION AND TRADE CENTERS**

- Bond covenants: HB 605, \*SHB 605, CH 1 E2 (1983)
- Bonds, one or more offerings: HB 605
- Bonds, scope expanded: HB 605, \*SHB 605, CH 1 E2 (1983)
- Bonds, state debt, limitation formula includes voter approved debt, exceptions: HB 54
- Bonds, state debt limitation formula, modified: \*HB 1082, CH 36 E1 (1983)
- Corporation real property duties modified: \*SHB 605, CH 1 E2 (1983)
- Corporation's authority: HB 959
- Cultural arts, stadium, and convention district creation, no competition: HB 909
- Cultural arts, stadium and convention district formation, proposition to appear at special election: HB 122
- Cultural arts, stadium and convention district formation, special election if resolution specifies: SSB 3608
- District formation, proposition to appear at special election: HB 122
- District formation, special election if resolution specifies: SSB 3608
- Districts, cultural arts, stadium, and convention, may levy taxes: SSB 3161
- Hotel/motel, small cities, fund convention or trade center: HB 806, SHB 806
- Hotel/motel tax transferred to cultural arts, stadium, and convention districts: HB 912
- Insurance by negotiation: \*SHB 605, CH 1 E2 (1983)
- Martin Luther King, dedicate center to: HB 151, HCR 5
- Pantages theatre restoration efforts commended: HFR 13
- Public function and use, design, construction, and operation: HB 959
- Subaccounts may be created: HB 605, \*SHB 605, CH 1 E2 (1983)

**CONVEYANCES** (See REAL PROPERTY)**CORONERS** (See COUNTIES)**CORPORATIONS** (See also NONPROFIT CORPORATIONS; SECRETARY OF STATE)

- Community development finance corporation established: HB 213, SHB 213
- Dissolution, reinstatement procedures: \*HB 348, CH 32 (1983), SB 3386
- Dissolution, secretary of state administrative dissolution: \*HB 348, CH 32 (1983), SB 3386
- Evergreen state skill corporation: HB 231, SHB 231
- Health maintenance organizations, professional service corporations, providers may belong: \*HB 305, CH 100 (1983)
- Ineligible person defined for purpose of owning shares: HB 344, \*SB 3383, CH 51 (1983)
- Job skills program: \*2SHB 231, CH 21 E1 (1983)

**CORPORATIONS**—cont.

- Professional corporations, merger or consolidation, domestic or foreign: HB 344, \*SB 3383, CH 51 (1983)
- Professional corporations, who is authorized to have stock: HB 344, \*SB 3383, CH 51 (1983)
- Public corporations to provide capital funds: HJR 24
- Residence of corporation, replaces principal place of business reference: \*HB 288, CH 31 (1983)
- Revocation of authority due to failure to correct delinquency: \*HB 348, CH 32 (1983), SB 3386
- Shares, eligible person defined for purpose of owning shares: HB 344, \*SB 3383, CH 51 (1983)
- Technology development corporation established: HB 190
- Unemployment coverage, may elect not to cover officers: HB 224, \*SSB 3311, CH 23 E1 (1983)

**CORRECTIONS** (See also JAILS; PRISON TERMS AND PAROLE)

- Adult correctional facility construction projects exempted from local codes: HB 34, SB 3243
- Alcohol and drug treatment programs for offenders: HB 763
- Body/strip searches: HB 645, \*SSB 3817, CH 42 E1 (1983)
- Choke holds: SSB 3766
- Civil service exemptions, eliminating for institutional industry staff: \*HB 125, CH 175 (1983)
- Death penalty, pre and post-sentencing confinement requirements: \*SB 3523, CH 255 (1983)
- Death sentence prisoners, confined in single cells: SB 3530
- Employees injured by assault on job, paid leave: HB 593
- Furloughs and leaves, certain are to be escorted: \*SB 3523, CH 255 (1983)
- Furloughs, medical care, may exceed 60 days: \*SB 3523, CH 255 (1983)
- Furloughs, release, escape, 30 days notice to victims, witnesses, law: HB 307, SHB 307
- Industrial vocational training program for inmates studied: HB 579
- Institutional impact account to reimburse political subdivisions: \*SSB 4135, CH 279 (1983)
- Institutional industries, perishable foods, timber, agricultural surpluses may be sold or donated: SB 3527
- Institutional industries, surplus, private sale or donation: \*SB 3523, CH 255 (1983)
- Institutional industry staff, civil service exemptions eliminated: \*HB 125, CH 175 (1983)
- Interstate corrections compact: \*SB 3523, CH 255 (1983), SB 3526
- Judiciary's jurisdiction over construction removed: HJM 25
- McNeil, requests that the island be given to the state: HFR 18
- Personal property of inmates, unclaimed, procedures: \*SSB 4137, CH 52 E1 (1983)
- Prisoners from other institutions, housing procedures: SB 3525
- Prisoners' leaves of absence, reasons enlarged: SSB 3524
- Prisoners, transfer to foreign countries: SB 3529
- Reimbursement to local government, housing state prisoners: HB 996
- Shelton staff recognized: HFR 90
- Standard board report: HB 764
- Vocational education products, auction provision removed: SB 3528
- Work programs, record storage and retrieval: HB 579, \*SHB 579, CH 296 (1983)
- Work release programs: HB 572

**CORRECTIONS STANDARDS BOARD**

- Phyllis M. Kenny, member: GA 8, confirmed . . . . . pp. 22, 106, 507, 1996, 1998

**COSMETOLOGY** (See also BARBERING)

- Apprenticeship training: HB 368, HB 795
- Examination, licenses, procedures: HB 368, HB 795
- Licensing functions for cosmetology and barbering studied: HB 368, HB 369
- Regulations provided and repealed: HB 442

**COSMETOLOGY—cont.**

Sunset termination removed for cosmetology regulations: HB 200, HB 368, HB 795,  
\*SSB 3088, CH 208 (1983)

**COSTA, MANUEL E.**

Member, sentencing guidelines commission:

GA 30, confirmed . . . . . pp. 26, 1303, 1996, 2012

**COUNCILS** (See specific subject matter)**COUNSELORS**

Board of examiners created: HB 188  
LEOFF pays for psychologist fees: SSB 3226  
Licensing of professional counselors: HB 188  
Patient privilege: HB 188  
Prohibited acts: HB 188

**COUNTIES** (See also LAND USE PLANNING; STATE AND PUBLIC EMPLOYEES)

Adult correctional facility construction projects exempted from local codes: HB 34  
Adult offender community service insurance fund: HB 417  
Agricultural district formation authorized: HB 690  
Aquatic plant control programs: \*HB 511, CH 291 (1983)  
Attorneys, contracts for services: \*SSB 3151, CH 129 (1983)  
Bike routes: HB 375  
Bonds, declaratory judgments, local governments, their agencies and instrumentalities: \*SSB 3637, CH 263 (1983)  
Bonds, registration of ownership: HB 390, \*SHB 390, CH 167 (1983)  
Border areas, additional funds: HB 159  
Border, sales tax varied: SHB 52  
Buses, prohibited conduct: HB 538, SHB 538  
Cemetery improvement fund, principal and income may be used: HB 322  
Choke holds: SSB 3766  
Community corporation, land use authority: HB 879  
Community economic revitalization board loan limitations: HB 245, SHB 245,  
\*2SHB 245, CH 60 E1 (1983)  
Community rights act of 1983: HB 779  
Conservation analyses and financing authorized by electricity providers: SSB  
3256  
Consolidated employers, retirement plan procedures: SSB 3226  
Consolidation with cities: HCR 2, SHCR 2  
Contractors, prequalification procedures: HB 749, SHB 749  
Coroners, death investigation account: HB 408, \*2SSB 3272, CH 16 E1 (1983)  
Coroners, death investigation council: \*2SSB 3272, CH 16 E1 (1983)  
Coroners, dental identification system is established: HB 408, \*2SSB 3272, CH 16 E1  
(1983)  
Coroners, law enforcement services council to oversee toxicology lab: HB 408  
Coroners' system improvement act: HB 408, \*2SSB 3272, CH 16 E1 (1983)  
Correctional facility, inmate release, notice to witnesses, law enforcement, vic-  
tims, 30 days prior: HB 307, SHB 307  
County road tax revenues, use: HB 11  
Court bonds, writs, not required of political subdivisions: HB 752  
Criminal justice cost reimbursements for crimes committed: \*SSB 4135, CH 279  
(1983)  
Criminally insane, acquitted by reason of insanity, conditional release standards:  
HB 99  
Criminally insane, conditional release, notice to law enforcement chief: HB 9, SHB  
9  
Criminally insane, conditional release, tracking system: HB 351  
Criminally insane, escape, notify law enforcement officers: SHB 9  
Criminally insane, treatment records confidential, exceptions: HB 351  
Current use valuation for vacant lots and single family residences: HJR 20  
Death investigations council: \*2SSB 3272, CH 16 E1 (1983)

## COUNTIES—cont.

- Debt limitation, 1 1/2% of taxable property: HB 73  
Deferred compensation, participation by employees authorized: HB 618, \*SB 3840, CH 226 (1983)  
Drug abuse administrative board, county may appoint: \*HB 373, CH 148 (1983)  
Drunk driver enforcement impact account: SHB 983  
Drunk drivers special detention facilities: \*SHB 289, CH 165 (1983), HB 367, SSB 3107  
DWI impact account created: \*SHB 289, CH 165 (1983)  
Economic development councils, matching funds, conditions: HB 580, SHB 580  
Economic recovery, participation with nonprofit corporations is a public purpose: SSB 3276  
Electric distribution political subdivisions may establish heating systems: HB 113, SHB 113, \*SB 3224, CH 216 (1983)  
Electric generation of sewer and water system: HB 710  
Electric utilities privilege tax: HB 913  
Electrical code may exceed states: HB 895  
Electrical installation, counties may enforce own regulations: HB 716  
Electrical utilities, conservation credits, model conservation standards: HB 930  
Emergency medical services, advisory council: HB 855, \*SHB 855, CH 112 (1983)  
Emergency services, medical program director: HB 855, \*SHB 855, CH 112 (1983)  
Enterprise zone act, local zoning displaced: HB 115  
Equalization board, petition process: HB 173  
Federal property, benefit from local services, reimburse counties: HJM 2  
Fees, fines, forfeitures, and penalties, uniformity in collection and distribution: HB 508  
Fees, fines, forfeitures, procedures for remittance to state treasurer: HB 510  
Ferry advisory committees, critical counties: \*SSB 3108, CH 15 (1983)  
Ferry system supported by auto license and renewal fees from island counties: HB 230  
Flood zone new construction, county or city is liable: HB 628  
Flooding disaster areas, asking President to give federal assistance: HJM 9  
Forest land, reforestation land reclassified: HB 425  
Freeholders, appointments to fill vacancies: SSB 3098  
Gambling tax rate lowered: HB 815  
Game department in lieu of taxes: HB 105, SHB 105  
Handicapped, utility rates reduced: HB 550  
Harbor areas and tidelands, percentage of lease money paid to towns: \*SB 3066, CH 153 (1983)  
Hazardous materials incident command agency designation optional: SSB 3740  
Hazardous materials incidents, procedures, immunities: HB 505  
Health board officer appointment, home rule charters: \*SSB 3490, CH 39 E1 (1983)  
Health departments, county owned, city contributions: HB 713, SHB 713  
Health departments, monetary support by benefiting city or town: \*SSB 3490, CH 39 E1 (1983)  
Health districts: HB 509, SHB 509  
Home rule charters, local health officer appointment: \*SSB 3490, CH 39 E1 (1983)  
Hospitals, low-income patients have preference: HB 791  
Housing authorities, commercial space allowed: HB 816  
Housing authorities, loan capability: HB 816, SHB 816, \*SSB 3811, CH 225 (1983)  
Housing authorities, partnership agreements and joint ventures allowed: HB 816  
Hydroelectric development, irrigation districts and cities or public utility districts: \*SSB 3511, CH 47 (1983)  
Impounded automobiles, redemption procedures: \*SB 3846, CH 274 (1983)  
Insurance coverage is not additional compensation: \*SSB 3079, CH 37 E1 (1983)  
Juvenile offender community service insurance fund: HB 417  
Juvenile offenders, community involvement, consolidated services: HB 349  
Juveniles confined in detention facilities, education programs: HB 241, \*SHB 241, CH 98 (1983)  
Juveniles, confinement costs, DSHS or county responsible depending on whose decision: HB 431

**COUNTIES**—cont.

- Law enforcement service districts authorized: HB 560, HB 673  
 Lending of credit for public purposes modified: SHJR 41  
 Levy for taxing, maximum amount deemed levied, 106% modified: HB 916  
 License fees may be set by legislative authority: SB 3263  
 Local improvements protests: \*HB 753, CH 303 (1983)  
 Marine transportation benefit area authority: HB 464  
 Martin Luther King birthday, state and school holiday: HB 69  
 Master permit process, environmental coordination: HB 165  
 Medical examiners, death investigations: HB 408  
 Misdemeanors, violations of police and sanitary regulations: HB 896  
 Moorage and storage regulations, enforcement procedures: HB 211, \*HB 318, CH 188 (1983)  
 Motor vehicle excise tax, municipality authorized rate increased: HB 537  
 Motor vehicle excise tax revenue restrictions modified: HB 536  
 Motor vehicle fund distribution, maintenance of city streets, state aid approval: \*HB 285, CH 43 (1983)  
 Neighborhood protection: HB 779  
 Noise levels, off-road vehicles, no standards in high-use parks: HB 562  
 Noxious weed control, funded by special tax at vehicle license time: SSB 3205  
 Nuclear attack, need not include in emergency services plan: HB 89  
 Olympic county created subject to voter approval: HB 362, SB 3264  
 Open public meetings, covers committees of governing bodies: \*SSB 3206, CH 155 (1983)  
 Park and recreation service area, proposals, levies: HB 597  
 Police and sanitary regulations, violations are misdemeanors: HB 896  
 Police and sanitary regulations, violations, either civil or misdemeanors: SSB 4164  
 Police power may be exercised if not in conflict with state law: HB 587  
 Prequalify contractors: HB 749, SHB 749  
 Public improvement boundaries for tax purposes: HJR 28, HJR 32, SSJR 119  
 Public transportation benefit area to include merged and annexed areas: \*HB 534, CH 65 (1983), SB 3847  
 Public transportation benefit areas may designate treasurer: HB 540, \*SHB 540, CH 151 (1983)  
 Public transportation, conduct: HB 538, SHB 538  
 Public transportation sales and use tax apportionment and distribution: HB 541  
 Public transportation, sales and use tax authority equalized: HB 535, SHB 535, SB 3834  
 Purchase contracts by local governments, may consider tax revenue: HB 574  
 Purchasing, public disclosure: \*HB 74, CH 44 E1 (1983)  
 Purchasing that benefits municipal officer, limit raised: HB 74  
 Rail districts authorized: \*HB 753, CH 303 (1983)  
 Road administration board, sunset termination: HB 589  
 Road improvement district formation alternative: HB 911  
 Rural arterial program: HB 235, \*SHB 235, CH 49 E1 (1983), HB 773  
 Salaries must be lower than governor: SB 3427  
 Sales and use equalization account, government price index for distributions: HB 263, \*SHB 263, CH 99 (1983)  
 Sales and use tax, additional tax: HB 158  
 Self-insurance, local government risk exposure studies: HB 531  
 Service districts for funding capital and maintenance costs for facilities and roads: \*SSB 3161, CH 130 (1983)  
 Service districts, procedures, formation: \*SSB 3161, CH 130 (1983)  
 Special purpose districts, implied and expressly granted powers: HB 728  
 State building code act: HB 557  
 State facilities, benefit from local services, reimburse county: HB 5  
 Storm water control facilities, public entities to pay rates and charges: \*SHB 1093, CH 315 (1983)  
 Storm water facilities, state to pay rates and charges if rates established: HB 601  
 Street improvement latecomer fees: \*SSB 3094, CH 126 (1983)  
 Street maintenance, motor vehicle fund distribution: \*HB 285, CH 43 (1983)

**COUNTIES—cont.**

- Streets and associated improvements, own, operate, construct, maintain, finance: HB 748
- Surface mines, regulation: HB 480, SHB 480
- Tax ordinances, petitions to repeal or alter, time: HB 263, \*SHB 263, CH 99 (1983)
- Taxes, B&O and sales, local governments exempt: HB 529, HB 805
- Teachers' retirement, teachers in local government elective position may stay in system: HB 549
- Timber excise tax authorized: SSB 4158
- Timber tax may be imposed: HB 797, HB 902
- Traffic safety plan duties modified: \*SSB 3538, CH 14 E1 (1983)
- Transit employees, collective bargaining: SHB 985
- Utilities, city-owned, located in county, taxed at true and fair value: HB 654
- Utility rates, political subdivisions may reduce for low-income: SHB 550
- Vital services, benefit state agencies, reimburse county: HB 5
- Warrants for claims, issuance procedure: HB 374
- Water supply operators, certification changes: HB 548, \*SHB 548, CH 292 (1983), SSB 3395
- Write-in candidates, procedures provided: HB 258
- Zoning, residences, separate living quarters for relatives: SB 3777

**COUNTY ASSESSOR**

- Business inventory tax exemption modified: HB 466, \*SHB 466, CH 62 E1 (1983)
- Current use assessment, single family residences and vacant lots: HB 46
- Equalization board, delinquencies, schedule: SB 3262
- Excess inventory districts, valuation: SHB 466
- Farm and agricultural land valuation: HB 690
- Forest land, reforestation land reclassified: HB 425
- Property tax levies to be reviewed for correctness: HB 698, \*SSB 3522, CH 223 (1983)
- Real property revaluation, restricting increases: HB 60
- Real property tax delinquency interest, 2% above prime: HB 889
- Real property tax delinquency penalties waived, certain filing and notice circumstances: HB 706
- Vital services provided to state, reimburse county: HB 5

**COUNTY AUDITOR (See also ELECTIONS)**

- Deaths, list of those 18 and over who have died: HB 90, \*HB 741, CH 110 (1983)
- Motor vehicle license fee, \$2 collection fee: HB 394
- Motor vehicle use tax, collection fee: \*SB 3097, CH 77 (1983)
- Public disclosure reports, index for access: \*HB 569, CH 294 (1983)

**COUNTY TREASURER**

- Audits, quarterly audits eliminated: SSB 3103
- County and local treasurers, filing requirements: \*SB 3142, CH 213 (1983)
- Fees, fines, forfeitures, and penalties, uniformity in collection and distribution: HB 508
- Port districts, serving as treasurer for: \*SB 3363, CH 250 (1983)
- Real property tax delinquency interest, 2% above prime: HB 889
- Real property tax delinquency penalties waived, certain filing and notice circumstances: HB 706

**COUPONS (See TRADING STAMPS)****COURT OF APPEALS**

- Public printer's duties: HB 378
- Salary increase: HB 50, SHB 50

**COURTS (See also COURT OF APPEALS; DRUNK DRIVING; JUDGES; SUPREME COURT)**

- Administrator for the courts, salary to be set by the supreme court: HB 627, SB 3376
- Adoption, 2 methods to extinguish the rights of a natural parent: HB 629
- Bonds, political subdivisions not required to obtain for writs: HB 752

**COURTS—cont.**

- Child abuse and neglect noticed in family law hearing: SHB 167  
 Child abuse reporting by family court: \*SB 3442, CH 219 (1983)  
 Child custody, joint provided for: HB 403, SHB 403, HB 695  
 Clerk of superior court, miscellaneous filings at no charge: HB 630  
 Clerks, fees increased: HB 630  
 Condemnation cases for highways have court priority: \*HB 183, CH 140 (1983)  
 Continuing jurisdiction, courts of limited jurisdiction may not exceed two years:  
 \*SB 3185, CH 156 (1983)  
 Criminally insane, conditional release, notice to law enforcement chief: HB 9, SHB  
 9  
 Criminally insane, escape, notify law enforcement officers: SHB 9  
 Deadly weapon, finding of fact, special verdict: \*SB 3416, CH 163 (1983)  
 Drug or alcohol enhanced crimes, rehabilitative treatment: HB 137  
 Drunk driver enforcement impact account: SHB 983  
 Drunk driving, enhanced enforcement judicial districts: \*SHB 289, CH 165 (1983),  
 HB 341  
 Enforcement or collection of judgment, clerk's liability for delay removed: \*HB  
 428, CH 45 E1 (1983)  
 Execution and attachment exemptions increased: \*HB 428, CH 45 E1 (1983)  
 Family court jurisdiction based on children: \*SB 3442, CH 219 (1983)  
 Family courts, laws modified: HB 167, SHB 167  
 Fees, fines, forfeitures, and penalties, uniformity in collection and distribution: HB  
 508  
 Fees, fines, forfeitures, procedures for remittance to state treasurer: HB 510  
 Foster care for developmentally disabled, court review: HB 906, \*SHB 906, CH 311  
 (1983)  
 Health care damage agreements to be told to court and jury: HB 380  
 Homestead exemption increased to \$25,000: \*HB 428, CH 45 E1 (1983)  
 Interpreters, non English speaking cultural background: HB 460, \*SB 3501, CH 222  
 (1983)  
 Judgment lien, real estate contract vendor's interest not subject: \*HB 428, CH 45,  
 E1 (1983)  
 Judgments, rate of interest equalized: HB 328, \*SHB 328, CH 147 (1983)  
 Jury and court, informed of health care damage agreements: HB 380  
 Jury duty, not more than once every five years: HB 197  
 Jury duty, not more than twice every five years: \*SHB 197, CH 181 (1983)  
 Jury trials, court rules may not void prohibition against in municipal court: HB  
 519  
 Justice of peace, reference in marriage law removed: \*HB 284, CH 186 (1983), SB  
 3424  
 Justice of the peace, subpoena restrictions lessened: SB 4105  
 Juvenile court system record procedures: HB 918  
 Juveniles, confinement costs, DSHS or county responsible depending on whose  
 decision: HB 431  
 Limited jurisdiction, full-time judges defined: HB 463, \*SHB 463, CH 195 (1983)  
 Penalty assessments, court may deduct costs: HB 559  
 Probation officer for intensive alcohol treatment program: HB 498, \*SHB 498, CH  
 150 (1983)  
 Real estate contract vendor's interest, not available to satisfy judgment: \*HB 428,  
 CH 45 E1 (1983)  
 Reporters, may use electronic recording: HB 704  
 Sentences may differ from guidelines in compelling circumstances, appealable:  
 HB 298, \*SB 3416, CH 163 (1983)  
 Small claims, judgment collection procedures: HB 554, SHB 554  
 Small claims judgment enforcement: \*SSB 3494, CH 254 (1983)  
 Subpoena, restrictions regarding justice of the peace lessened: SB 4105  
 Support and maintenance, notice to obligor in arrears not required: \*HB 428, Ch  
 45 E1 (1983)

**COWLITZ RIVER** (See MT. ST. HELENS)



**CRASWELL, SENATOR ELLEN**

- Appointed member, education, social and health services and ways and means committees . . . . . p. 33
- Point of order, scope and object SSB 3660 . . . . . p. 1983
- Appointed interim committee member, LEAP . . . . . p. 2428

**CREDIT UNIONS (See also FINANCIAL INSTITUTIONS)**

- Cease and desist orders for violations of law: \*HB 32, CH 37 (1983)
- Distressed, merger, absorption, liquidation, contracted guarantees: \*SSB 3110, CH 48 (1983)
- Examination fund: \*SB 3182, CH 157 (1983)
- Examination reports may be issued to prospective merger partners or liquidating agents: \*HB 32, CH 37 (1983)
- Expenses, yearly liability limit may be waived: \*HB 32, CH 37 (1983)
- Financial institutions department created: HB 676
- Funding of association by transfers to share guaranty association contingency reserve: \*SSB 3110, CH 48 (1983)
- Residential financing, public pension guarantee fund to provide money: HB 267
- Uniform unclaimed property act enacted: HB 179, \*SHB 179, CH 179 (1983)

**CREDITORS**

- Agricultural development authority, long-term credit: HB 768
- Bankruptcy, state exemptions: HB 890
- Consumer credit reporting protections: HB 311, SHB 311
- Consumer finance companies, fees and charges: \*SSB 4066, CH 227 (1983)
- Contract reformation to reduce payments: HB 754
- Insurance claims, deceased persons, 4 month filing period: \*HB 643, CH 201 (1983)
- Interest rates, absence of written agreement: HB 882, \*SHB 882, CH 309 (1983)
- Leases, consumer leases not a loan or forbearance: HB 92, \*SSB 3299, CH 158 (1983)
- Satisfaction of judgments, must designate judgment creditor and debtor: \*HB 174, CH 28 (1983)
- Sexual orientation, may not discriminate: HB 556
- Toll-free telephone line maintained by consumer credit reporting agencies: SHB 311

**CRIME VICTIMS COMPENSATION**

- Automobiles, uninsured motorists, fund established for victims: HB 636
- Burial expenses, not to exceed \$500: \*SSB 3022, CH 239 (1983)
- City programs established by prosecutor: HB 933
- Drunk driving, personal injuries: HB 960
- DWI convicts to be assessed \$100: HB 561
- Juveniles, penalty may be modified: \*SSB 3022, CH 239 (1983)
- Penalty assessments, \$50 for felony or gross misdemeanor, \$25 misdemeanor: \*SSB 3022, CH 239 (1983)
- Penalty assessments, 80% sent to state treasurer: \*SSB 3022, CH 239 (1983)
- Witnesses and survivors, provided for: HB 711, SHB 711

**CRIMES (See also MOTOR VEHICLES, subtopic TRAFFIC INFRACTIONS)**

- Adult offender community service insurance fund: HB 417
- Aircraft excise tax evasion: HB 416
- Aircraft tampering, mischief in the 1st degree: \*SSB 3856, CH 4 E1 (1983)
- Airplanes, endangering is a felony: HB 542
- Airports, discharge of weapons on or across, gross misdemeanor: HB 542
- Alcohol and drug treatment programs for offenders: HB 763
- Alcohol, furnished to an intoxicated person, misdemeanor: HB 825
- Alcohol or drug enhanced, rehabilitative treatment: HB 137
- Assault on sports official a misdemeanor: HB 290
- Automobile insurance coverage required, misdemeanor: HB 103
- Bail jumping: \*SSB 3856, CH 4 E1 (1983)
- Body/strip searches: HB 645, \*SSB 3817, CH 42 E1 (1983)
- Choke holds: SSB 3766

**CRIMES—cont.**

- Civil rights restoration provided for: HB 455
- Commodity warehouse violations: HB 440, SHB 440
- Continuing jurisdiction, courts of limited jurisdiction may not exceed two years: \*SB 3185, CH 156 (1983)
- Controlled substances: \*SSB 3856, CH 4 E1 (1983)
- Correction employees injured by assault on job, paid leave: HB 593
- Custodial interference is a gross misdemeanor or felony: SSB 3387
- Deadly weapon, finding of fact, special verdict: \*SB 3416, CH 163 (1983)
- Death investigations council: \*2SSB 3272, CH 16 E1 (1983)
- Dental identification system is established: HB 408, \*2SSB 3272, CH 16 E1 (1983)
- Dependent or vulnerable adults, protection from abuses of criminal justice system: SB 3060
- Deportation, guilty plea consequences must be explained: HB 522, \*SHB 522, CH 199 (1983)
- Exclusionary rule modified, procedures: SHB 315
- Extortion, sexual favors: \*SSB 3856, CH 4 E1 (1983)
- Fees, fines, forfeitures, and penalties, uniformity in collection and distribution: HB 508
- Felony flight, revocation of driver's license: \*SB 3172, CH 80 (1983)
- Fireworks sales and use: SB 3636
- Fraud, theft, child commits, parent liable: SB 3119
- Furloughs, medical care, may exceed 60 days: \*SB 3523, CH 255 (1983)
- Glue sniffing, toxic vapors or fumes, category broadened: SB 3117
- Hearing aid dispensers, violations: \*HB 198, CH 39 (1983)
- Homicide, definition modified, death occurring within 3 years and one day: \*HB 147, CH 10 (1983)
- Hulk haulers or scrap processors: \*HB 259, CH 142 (1983)
- Hunting interference, misdemeanor: HB 923
- Indecent liberties, forced sexual contact with spouse not excluded: HB 700
- Insanity, acquitted by reason of insanity, conditional release standards: HB 99, \*SHB 99, CH 25 (1983)
- Insanity, conditional release, notice to law enforcement chief: HB 9, SHB 9
- Insanity, conditional release, tracking system: HB 351
- Insanity defense, replaced with a guilty but ill or insane plea: HB 303
- Insanity, escape, notify law enforcement officers: SHB 9, \*SSB 3043, CH 122 (1983)
- Insanity, evaluation and court procedure: HB 351
- Insanity, furlough, notice to law enforcement: \*SSB 3043, CH 122 (1983)
- Insanity, no statutory right to counsel at evaluation: HB 351
- Insanity, report availability: HB 476, \*SHB 476, CH 196 (1983)
- Insanity, treatment records confidential, exceptions: HB 351
- Journalists, news source, confidentiality: HB 655
- Juvenile court system record procedures: HB 918
- Juvenile disposition standards, confinement not to exceed adult equivalent: HB 431, \*SHB 431, CH 191 (1983)
- Juvenile disposition standards, excess penalties if manifest injustice will result: \*SHB 431, CH 191 (1983)
- Juvenile disposition standards, manifest injustice defined as danger to society: \*SHB 431, CH 191 (1983)
- Juvenile disposition standards, one additional year for offenses using gun: HB 431
- Juvenile disposition standards, record destruction: \*SHB 431, CH 191 (1983)
- Juvenile disposition standards, release day, conditions: \*SHB 431, CH 191 (1983)
- Juvenile offender community service insurance fund: HB 417
- Juvenile offenders, community involvement, consolidated services: HB 349
- Juvenile offenders, health and dental care: \*SSB 3646, CH 267 (1983)
- Juvenile offenders, photographing, waiver of rights: \*SSB 3646, CH 267 (1983)
- Juvenile offenders, restitution, part of plea bargain: HB 431, \*SHB 431, CH 191 (1983)
- Juveniles, financial recovery systems consolidated, DSHS: HB 742, HB 811
- Lie detector tests as conditions of employment: HB 449
- Meter tampering is theft: HB 921, SHB 921

**CRIMES—cont.**

- Minors, parent liable for child's theft and fraud: SB 3119
- Mischief in the 1st degree, airplane tampering: \*SSB 3856, CH 4 E1 (1983)
- Misdemeanor compromise, repealing provisions: HB 327
- Missing person procedures: HB 408
- Negligent homicide, defined as violent offense: HB 298, \*SB 3416, CH 163 (1983)
- Notice to law enforcement, victims, witnesses, 30 days prior to release, furlough, or escape: HB 307, SHB 307
- Parent liable for child's theft or fraud: SB 3119
- Parole revocation, Attorney General to make recommendations: HB 476, \*SHB 476, CH 196 (1983)
- Penalty assessments, court may deduct costs: HB 559
- Pornography, access of children at newsstands regulated: HB 697
- Prison reduction, does not apply to violent offenses: HB 888, \*SHB 888, CH 162 (1983)
- Prisoners from other institutions, housing procedures: SB 3525
- Prisoners' leaves of absence, reasons enlarged: SSB 3524
- Prisoners, transfer to foreign countries: SB 3529
- Prostitution, classification enhanced if a minor participates: HB 29
- Rape, deadly weapon, use of what appears to be: HB 31, \*SB 3009, CH 73 (1983)
- Rape, forced intercourse with spouse is rape: HB 700, SHB 700, \*SSB 3007, CH 118 (1983)
- Records, how state retrieves illegally held public records: SHB 478
- Records, state patrol to charge fees: \*HB 260, CH 184 (1983)
- Restitution, juvenile offense plea bargain: HB 431, \*SHB 431, CH 191 (1983)
- Rewards, state agencies may offer: HB 671
- Sentence length reduction: HB 888, \*SHB 888, CH 162 (1983)
- Sentencing guidelines commission, report approved: HB 297, \*SHB 297, CH 115 (1983), SSB 3414
- Sentencing laws, certain revisions to mesh with sentencing guidelines: HB 298, \*SB 3416, CH 163 (1983)
- Sexual favors, extortion: \*SSB 3856, CH 4 E1 (1983)
- Sexual psychopath, definition of sex offense modified: HB 340
- Sexual psychopath, sentencing, amenable to treatment: HB 340
- Sports official, assault on a misdemeanor: HB 290
- Stolen property, rewards may be offered: HB 671
- Tax avoidance penalties: HB 68
- Theft, fraud, child commits, parent liable: SB 3119
- Trespassing, agricultural lands, detaining: HB 844
- Victim impact statement: HB 711, SHB 711
- Victims and their survivors, notified when inmate is released or escapes: HB 711, SHB 711
- Wiretaps by federal employees authorized for drugs: HB 315
- Wiretaps for drugs by state or subdivisions: SHB 315
- Witnesses and survivors of victims provided for: HB 711, SHB 711
- Work release programs: HB 572
- X-rated movies shown to minors: HB 370

**CRIMINALLY INSANE (See CRIMES; MENTAL HEALTH)****CULP, GORDON C.**

- Member, board of regents for university of Washington:  
GA 29, confirmed ..... pp. 26, 479, 598

**CULTURAL ARTS DISTRICTS (See CONVENTION AND TRADE CENTERS)****CURRENT USE ASSESSMENTS (See REAL PROPERTY)****CYSTIC FIBROSIS (See HEALTH CARE AND SERVICES)****DAFFODIL FESTIVAL COURT**

- Queen Jeanene Dryer and princess Stephanie Sasaki  
introduced and addressed senate ..... p. 901

**DAIRY PRINCESS**

Princess Julie Youngquist introduced and addressed senate . . . . . p. 491

**DAIRY PRODUCTS**

Coupons attached to packaging regulated: \*HB 219, CH 40 (1983), SB 3082  
Standards and definitions may exceed FFDCA standards: SHB 597, SB 4010, SSB  
4015

**DANEKAS, RALPH**

Member, state lottery commission: GA 17 . . . . . pp. 24, 449

**DATA PROCESSING AUTHORITY**

Richard A. Stablein, executive director:  
GA 104, confirmed . . . . . pp. 924, 1996, 2138

**DAY CARE (See CHILDREN)****DEAF**

Financial responsibility act, DSHS: HB 343  
Hearing aid council duties: \*HB 198, CH 39 (1983)  
Hearing aid fitting and dispensing: \*HB 198, CH 39 (1983)  
School, retirement system, service period computation: HB 16, \*SHB 16, CH 69  
(1983), SSB 3062  
Superintendents of institutions, minimum age reduced to 18: HB 90

**DEATH INVESTIGATIONS (See COUNTIES, subtopic CORONERS)****DEBTS (See also BONDS; SECURITY INTERESTS)**

Bankruptcy, state exemptions: HB 890  
Capital debt management program: HB 942  
Child support due, garnishee exemption: SHB 345  
Cities, counties, hospital districts, limited to 1 1/2% of taxable property: HB 73  
Consumer finance companies, fees and charges: \*SSB 4066, CH 227 (1983)  
Contract reformation to reduce payments: HB 754  
Deadbeat lists: HB 533, \*SHB 533, CH 107 (1983)  
Execution and attachment exemptions increased: \*HB 428, CH 45 E1 (1983)  
Execution and redemption, personal property, real property: SSB 4111  
Homestead exemption increased to \$25,000: \*HB 428, CH 45 E1 (1983)  
Interest rates, absence of written agreement: HB 882, \*SHB 882, CH 309 (1983)  
Joint operating agency, default is unlawful: HB 892  
Judgment debtor special proceedings, fees allowable for failure to appear: \*HB  
428, CH 45 E1 (1983)  
Metropolitan park districts, sale and issuance provisions modified: HB 189, \*SHB  
189, CH 61 (1983)  
Public improvement debts through ad valorem taxes: HJR 16  
Rent, welfare recipient tenant, collection procedures: HB 3  
Satisfaction of judgments, must designate judgment creditor and debtor: \*HB 174,  
CH 28 (1983)  
Small claims, judgment collection procedures: HB 554, SHB 554  
State debt, limitation formula includes voter approved debt, exceptions: HB 54  
State debt, limitation formula modified: \*HB 1082, CH 36 E1 (1983)  
State, legal services to be obtained in a competitive manner: HB 652  
Voter pamphlets to discuss bond measures: HB 193

**DECCIO, SENATOR ALEX A.**

Appointed member, financial institutions, social  
and health services and ways and means committees . . . . . p. 34  
Statement for the journal, vote on SSB 3127 . . . . . p. 277  
Personal privilege, Columbus day . . . . . p. 644  
Statement for journal, changed vote SB 3782 . . . . . p. 753  
Statement for journal, changed vote SSB 3483 . . . . . p. 811  
Parliamentary inquiry, rule 28 . . . . . p. 1619

**DEFERRED COMPENSATION (See PENSIONS)**

**DeLAITRE, DAVID J.**

Member, commission for the blind:

GA 5, confirmed . . . . . pp. 22, 448, 657, 1996

**DELINQUENCY (See CHILDREN)****DENTISTS**

Board of dental examiners membership increased: HB 110, HB 293, SHB 1044

Dental hygienists committee created to conduct exams: \*SHB 359, CH 168 (1983)

Dental hygienists given greater authority: HB 293, SHB 1044

Dental hygienists on dental examiners board: SHB 1044

Dental hygienists procedure power given to dental hygienist panel: HB 293, SHB 1044

Dental hygienists standards set by board of dental examiners: HB 110

Discipline procedures, dentists and hygienists: SHB 1044

Education requirements set by board of dental examiners: HB 110

Medical radiation health and safety act: HB 454

Panels established on board, dentist, dental hygienists: HB 293, SHB 1044

Radiographs, board of dental examiners to set standards: HB 110

Radiologic technology board of examiners created: HB 454

**DEPORTATION**

Guilty plea, must advise on deportation consequences: HB 522, \*SHB 522, CH 199 (1983)

**DEVELOPMENTALLY DISABLED (See HANDICAPPED)****DIERDORFF, JACK L.**

Member, state game commission:

GA 102, confirmed . . . . . pp. 594, 939, 1996, 2031

**DIKING DISTRICTS**

Voting rights, land ownership at least 30 days preceding election: SHB 84

Voting rights, land ownership at least 90 days preceding elections: HB 84

Warrants for claims to be certified by auditor: HB 374

**DISABLED PARKING (See HANDICAPPED)****DISCRIMINATION**

Age, increased to 70 years: \*HB 555, CH 293 (1983)

Age, 40 to 70 years, unfair practice to refuse employment: SB 3196

Comparable worth in salary schedules: \*SSB 3248, CH 75 E1 (1983)

Comparable worth, joint committee established: HCR 25, SCR 131

Comparable worth joint select committee: HFR 64

Economic equity act, equality for women: HJM 16

ERA passage urged: HJM 17

Gender-neutral language in all rules and publications: HB 321, \*SB 3613, CH 20 (1983)

Human rights commission references corrected: \*HB 555, CH 293 (1983)

Iranian persecution of Bahai faith condemned: HFR 99

Japanese war reparations passage of proposed legislation urged: HJM 23

Minority and women-owned businesses, participation enhanced: HB 163, SHB 163, \*SSB 3230, CH 120 (1983)

Sexual orientation, may not discriminate: HB 556

Unfair practices damage limits: \*HB 555, CH 293 (1983)

WWII discriminatory dismissals of state employees, reparation: HB 268

WWII discriminatory dismissals of state employees, reparation for employees and surviving spouse: \*SSB 3163, CH 15 E1 (1983)

**DISSOLUTION (See FAMILY LAW)****DISTRICT COURT (See COURTS)****DISTRICT HEATING (See ENERGY)****DISTRICT OF COLUMBIA (See FEDERAL GOVERNMENT)****DISTRICTS (See specific type)**

**DIVORCE** (See FAMILY LAW, subtopic DISSOLUTION)

**DOELMAN, CORNELIUS**

Member, board of trustees for Centralia community college  
district no. 12: GA 52, confirmed . . . . . pp. 30, 481, 601

**DOGS** (See ANIMALS)

**DRAFT REGISTRATION**

Proof required for acceptance at higher education institutions: HB 93

**DRAINAGE DISTRICTS**

Voting rights, land ownership at least 30 days preceding election: SHB 84  
Voting rights, land ownership at least 90 days preceding elections: HB 84  
Warrants for claims to be certified by auditor: HB 374

**DRIVERS' LICENSES** (See MOTOR VEHICLES)

**DRUGS**

Abuse, education provided: SB 4237  
Controlled substances schedule revised: HB 469  
Crimes enhanced by drug or alcohol abuse, rehabilitative treatment: HB 137  
Criminal provisions: \*SSB 3856, CH 4 E1 (1983)  
Drug abuse administrative board, county may appoint: \*HB 373, CH 148 (1983)  
Drugless healing, sunset termination: HB 493, \*SHB 493, CH 197 (1983)  
Enforcement and investigation board created: HB 629  
Exclusionary rule modified, procedures: SHB 315  
Prescriptions, combination drug product generic names to be shown on label: HB 467  
Sales tax removed: HJR 25  
Schools to educate about abuse: HB 681, SHB 681  
Treatment programs for offenders: HB 763  
Wiretaps by federal employees authorized for drugs: HB 315  
Wiretaps for drugs by state or subdivisions: SHB 315

**DRUNK DRIVING**

Alcohol awareness program funded by penalty assessments: SSB 3617  
Alcohol information school: \*SHB 498, CH 150 (1983)  
Alcohol problems, serious, diagnostic evaluation: SSB 3382  
Alcohol programs for persons convicted of DWI: HB 720  
Alcohol safety coordinator created: HB 444  
Alcohol safety office created: HB 444  
Alcohol-related problems, joint select committee to study funding: HCR 18  
Blood alcohol content of .05 for those under 21: HB 253  
Blood alcohol content of .05 percent: HB 98, HB 120  
Blood alcohol content of .05, 3rd degree: HB 891  
Blood alcohol content of .08 percent: HB 166, SSB 3107  
Blood alcohol content of .10, 2nd degree: HB 891  
Blood alcohol content of .15, 1st degree: HB 891  
Blood alcohol content test, if person is unconscious consent is not necessary: HB 501  
Blood alcohol content under .10 percent, may be considered at trial: HB 97  
Breathalyzer, refuse or .10, revocation may be immediate: HB 289, \*SHB 289, CH 165 (1983)  
Charters, driver may not drink: HB 166, \*SHB 289, CH 165 (1983), SSB 3107  
Compromise of misdemeanors, not allowed: HB 166  
Compromise of offense not available: HB 131  
Continuing jurisdiction, not to exceed two years: HB 121  
Court admissibility of refusal to take blood or breath test, must inform driver: HB 97, HB 98, HB 131  
Court may modify certain sentences, but not to be more harsh: HB 131  
Courts may not remove suspension: HB 97, HB 98  
Deferral of sentence increased from one to two years: HB 121  
Deferred prosecution eligibility removed: HB 166  
Deferred prosecution not available: HB 98, HB 121

**DRUNK DRIVING**—cont.

- Drinking deterrence and treatment account: HB 870
- Drinking deterrence and treatment fund, surcharge supported: HB 227
- Driver's license, revocation reinstatement criteria modified: HB 166
- Driver's license to contain statement of conviction for 5 years: HB 98
- Driver's licenses of persons under 21 may be revoked until age 21: HB 109, HB 253
- Drunk driver enforcement impact account: SHB 983
- DWI impact account created: \*SHB 289, CH 165 (1983)
- Enhanced enforcement judicial districts: \*SHB 289, CH 165 (1983), HB 341
- Fees, fines, forfeitures, and penalties, uniformity in collection and distribution: HB 508
- Fees, fines, forfeitures, procedures for remittance to state treasurer: HB 510
- Furnishing liquor to an intoxicated person misdemeanor: HB 825
- Habitual offenders guilty of class C felony: HB 131, HB 155
- Insurance abstract: HB 166
- Intensive alcohol treatment program for serious problems: HB 498, \*SHB 498, CH 150 (1983)
- License plates confiscated if drive while license suspended or revoked: HB 558
- License tabs revoked if car driven by drunk: HB 445
- Limited license may be issued after certain revocations: HB 289, \*SHB 289, CH 165 (1983)
- Local regulation may not be less restrictive: HB 166
- Mandatory 14 day imprisonment for 2nd conviction in 5 year period: HB 121
- Mandatory 48 hours: HB 98
- Negligent assault: HB 98
- Negligent homicide: HB 98, HB 121, HB 131, HB 155
- Negligent vehicular assault: HB 155
- Occupational driver's license, violations no longer classified as traffic infraction: HB 166
- Occupational license, may not have conviction within 5 years: HB 97
- Occupational license, may not have drunk driving conviction: HB 121
- Occupational license, restrictions as to time and place of use: HB 367
- Open containers, none by driver or passengers: HB 97, HB 98, HB 166, HB 287, \*SHB 289, CH 165 (1983), SSB 3107
- Open containers, particular restrictions concerning broken seals: HB 287
- Passengers or drivers may not drink in a motor vehicle: HB 97, HB 98, HB 166, HB 287, \*SHB 289, CH 165 (1983), SSB 3107
- Penalty assessments, court may deduct costs: HB 559
- Personal injuries: HB 960
- Probation department alcohol assessment: SSB 3382
- Probation officer for intensive alcohol treatment program: HB 498, \*SHB 498, CH 150 (1983)
- Public transportation, may not drink, except charter groups: \*SHB 289, CH 165 (1983), SSB 3107
- Revocation for refusing breathalyzer or .10 result may be immediate: HB 289, \*SHB 289, CH 165 (1983)
- Revocation for 1 year on 2nd conviction in 5 years: HB 121, \*SHB 289, CH 165 (1983)
- Revocation for 3rd offense may not exceed 5 years: SSB 3107
- Revocation for 90 days by department, .10, no trial: HB 289, \*SHB 289, CH 165 (1983)
- Revocation of license for 2 years: HB 253
- Revocation of one year for 2nd conviction: HB 166
- Roadblocks authorized for detection of drugs or alcohol: HB 97
- Seizure and forfeiture of motor vehicle: HB 280
- Special detention facilities for drunk drivers: \*SHB 289, CH 165 (1983), HB 367, SSB 3107
- Spot checks, state patrol may breathalyze any driver: HB 97
- State patrol to conduct emphasis patrols: HB 958
- Suspension mandatory for 30 days on 1st offense: HB 131
- Suspension, may exceed 2 years: HB 121

**DRUNK DRIVING—cont.**

Suspension of ninety days for 1st conviction: HB 166, SSB 3107

Suspension or revocation, revoked any time prior to probation termination: HB 121

Toll free telephone number for reporting drunk drivers: SSB 3107

Traffic infractions, certain violations reclassified as crimes: HB 131, HB 155, HB 166

Vehicle impoundment: HB 97

Vehicular assault: \*SB 3106, CH 164 (1983)

Vehicular homicide: \*SB 3106, CH 164 (1983)

Vehicular injury: HB 166

Victims, DWI convicts assessed \$100: HB 561

Victims of drunk driving: HB 960

**DUE ON SALE (See REAL PROPERTY)****DUFFIE, CORNELIUS R.**

Member, WPPSS executive board of directors: GA 65 . . . . . p. 33

**DUNLAP, RON**

Appointed to redistricting commission . . . . . p. 299

**EARTHQUAKES**

School buildings, earthquake inspections: HB 680

**EASTERN WASHINGTON UNIVERSITY, BOARD OF TRUSTEES**

James D. Ray, member: GA 37 . . . . . p. 28

Fred C. Enlow, member: GA 95 . . . . . pp. 438, 2307

**ECOLOGY, DEPARTMENT OF**

Aquifers, funds for protection: \*SSB 3664, CH 269 (1983)

Beverage containers, excludes milk-based or soy-based container: \*SB 3535, CH 257 (1983)

Conservation corps established within many agencies: \*2SSB 3624, CH 40 E1 (1983)

Dredging, SEPA exemption by DOE to prevent flooding: HB 628

East Selah reregulating reservoir: \*HB 595, CH 18 E1 (1983)

Emission inspections, motor vehicle fleet redefined: HB 389, HB 611

Endrin alternative study by WSU: SB 4079

Environmental coordination procedures act, transferred to business license center: HB 70

Environmental impact statement, road repair due to flood damage, requirements lessened: HB 182

Environmental impact statements, forest practices exempt: \*SSB 3006, CH 117 (1983)

Environmental impact statements, school closures: HB 719, \*SHB 719, CH 109 (1983)

Fees, authorizing certain administrative expenses to be collected: HB 410, SHB 410

Fish passages, reclamation projects: HB 582

Flood zone new construction, county or city is liable: HB 628

Forest practices, exempt from EIS requirements: \*SSB 3006, CH 117 (1983)

Ground water, aquifer protection and regulation: HB 364

Litter control and recycling act: \*SSB 4107, CH 277 (1983)

Litter control and recycling advisory committee: HB 929

Litter control fine increased: \*SSB 4107, CH 277 (1983)

Litter, resource conservation, litter defined: HB 929

Master permit process, environmental coordination: HB 165

Motor oil to be recycled: HB 252, SHB 252, HB 802, \*SSB 4201, CH 137 (1983)

Nisqually Delta and Sequim Bay retained on sanctuaries list: HB 686

Nisqually river basin: HCR 14

Oil, motor oil to be recycled: HB 252, SHB 252, HB 802, \*SSB 4201, CH 137 (1983)

Oil recycling tanks: HB 873

Pesticides, authority transferred from agriculture: HB 901

Pollution and environmental safety authority: \*SB 3674, CH 270 (1983)

Public waters, permits for use: HB 582



**ECOLOGY, DEPARTMENT OF—cont.**

- Puget sound water quality authority established: \*SSB 3156, CH 243 (1983)
- Radioactive materials, transfer of duties from DSHS studied: \*SSB 3273, CH 19 E1 (1983)
- Reclamation act duties modified: HB 583, SHB 583
- Recycling, litter control and recycling act: \*SSB 4107, CH 277 (1983)
- Road damage due to floods, EIS requirements lessened: HB 182
- SEPA, environment review and decision-making made more determinate: \*SSB 3006, CH 117 (1983)
- SEPA exemption for dredging by DOE to prevent flooding: HB 628
- SEPA, MT. ST. Helens: HB 358, \*SB 3519, CH 1, E1 (1983)
- SEPA, transferred to business license center: HB 70
- Shoreline management, hearings, judicial review: HB 486, SHB 486, HB 685, SHB 685
- Shoreline management, transferred to business license center: HB 70
- Site standards for dangerous wastes: HB 771
- Sole-source aquifers, funds for protection: \*SSB 3664, CH 269 (1983)
- Solid waste advisory committee: HB 712, 2SSB 3722
- Semilt creek drainage water supply facilities: HB 881
- Vehicle emission control account, noncompliance areas, testing: HB 465
- Waste management and priorities: HB 853, SHB 853, \*SSB 4245, CH 70 E1 (1983)
- Waste treatment plant certification: HB 485
- Water, discharge into marine waters, permit conditions: HB 475, SHB 475
- Water management improvement act: HB 582
- Water permit fee increased: HB 412
- Water pollution control act references changed to clean water act: HB 292
- Water supply facilities appropriation: HB 881
- Water well construction complaints: \*HB 112, CH 93 (1983)
- Water withdrawn by U.S., retain in special status for allocation: HB 582
- Yakima river basin hydroelectric development: SSB 3873

**ECONOMIC RECOVERY**

- A.H. Bingham's enthusiasm for life and public service noted: HFR 19
- Capital investment company authorized: SHB 228, 2SHB 228
- Capital resource companies authorized: HB 228
- China exhibition council created: \*SHB 1089, CH 314 (1983)
- Civilian conservation corps called for: HJM 15
- Commerce and community development department created: HB 796
- Community development finance corporation established: HB 213, SHB 213
- Conservation corps established: HB 330
- Conservation corps established within many agencies: \*2SSB 3624, CH 40 E1 (1983)
- Economic and community development department created: SHB 796
- Economic and revenue forecasting council: HB 784, SHB 784
- Economic development areas established: HB 917
- Economic development councils, matching funds, conditions: HB 580, SHB 580
- Economic equity act, equality for women: HJM 16
- Emergency commission on economic development and job creation: HCR 6, SHCR 6
- Employment and conservation corps: HB 251
- Energy efficiency financing bonds: HB 883
- Enterprise zone act: HB 115
- Enterprise zone act, passage requested: HJM 6
- Evergreen state skill corporation: HB 231, SHB 231
- Export assistance centers: HB 226, SHB 226, \*2SHB 226, CH 20 E1 (1983)
- High technology in south Puget Sound: HB 565, SHB 565
- Industrial development authority established: HB 590
- Industrial parks and research are industrial development facilities: HB 302, SHB 302, \*SB 3760, CH 51 E1 (1983)
- Industrial training in the community colleges: HB 662.
- Industry and job retention study: HCR 27
- Investment projects, sales tax deferrals: HB 161

**ECONOMIC RECOVERY—cont.**

- Job legislation requested: HJM 27
- Job skills program: \*2SHB 231, CH 21 E1 (1983)
- Job training and partnership act, job loss: SHB 1051
- Job training coordinating council created, federal act requires: SHB 1051
- Jobs again council: SB 3850, SB 3981
- Location of industrial development facilities in other municipalities: SSB 3955
- Motor oil recycling: HB 802
- Nonprofit corporations, county and city participation as public purpose: SSB 3276
- Pacific northwest trade exposition commended: HCR 10
- Private sector job placement program: SB 3850
- Protectionist trade measures, their end petitioned: HJM 14
- Public assistance recipients, employers receive tax credit: HB 871
- Public corporations to provide capital funds: HJR 24
- Public facilities, issuance of bonds authorized: HB 356
- Public improvement debts through ad valorem taxes: HJR 16
- Recreational facilities included in industrial development facilities: SSB 3955
- Small business assistance coordinating council: HB 689, SHB 689
- Small business improvement council: SSB 3982
- Small business investment authority: HB 592
- Small business mill survival act: HB 202
- State business and job creation commission created: HCR 7
- Tax incentives for private sector, utilized by state: SHB 1050
- Technology development corporation established: HB 190
- Technology training fund and nonprofit corporation created: HB 75
- Training fund program established: HB 308
- Tuition, nonresident exemption, participants in federal job corps: SB 3044
- Vocational education, training fund established: HB 308
- Youth employment exchange: \*SHB 251, CH 50 E1 (1983)
- Youth jobs program established: HB 324

**EDMONDS COMMUNITY COLLEGE DISTRICT 23, BOARD OF TRUSTEES**

- Majel A. Wilson, member: GA 62, confirmed ..... pp. 32, 2305, 2377

**EDUCATION, BOARD OF**

- Members, private school representative and superintendent of public instruction may vote: SSB 3455
- Members, private school representatives may vote: HB 361
- Physical education requirement removed: HB 145
- Teacher training, pilot project, compensate supervisors of prospective teachers: SHB 876

**EDUCATION (See also SCHOOLS AND SCHOOL DISTRICTS; SUPERINTENDENT OF PUBLIC INSTRUCTION; individual colleges and universities)**

- Advisory council on public education: HB 876
- Alcohol and drug abuse: SB 4237
- Alternative school educational clinic, common school district authorized: HB 514
- Continuing education credential conditions, exemptions: \*SB 3644, CH 266 (1983)
- Council for post secondary education, sunset termination: HB 493, \*SHB 493, CH 197 (1983)
- Council for postsecondary education, review degree programs: HB 497, SHB 497
- Drunk driver enforcement impact account: SHB 983
- Educational services registration act, sunset termination: HB 493, \*SHB 493, CH 197 (1983)
- Evergreen state skill corporation: HB 231, SHB 231
- Handicapped children and parents, training program: HB 168
- Handicapped, specially designed instruction: HB 633
- High technology education and training act: HB 869, \*2SSB 3155, CH 72 E1 (1983)
- Higher education facility authority, financing for private nonprofit institutions: \*SSB 3433, CH 169 (1983)
- Job skills program: \*2SHB 231, CH 21 E1 (1983)
- Judiciary education account: \*HB 471, CH 9 E1 (1983)
- Priorities, eliminate duplication, stress engineering, science: HCR 8

**EDUCATION—cont.**

- Public education advancement council, public schools and industry: HB 947
- Residential school residents, return to community, hearing: HB 634
- Technology, joint ad hoc committee on science and technology recreated: HCR 3
- Technology training fund and nonprofit corporation created: HB 75
- Temporary committee on educational policies, structure, and management, deadline extended: \*HB 430, CH 105 (1983)
- Vocational agriculture program: \*HB 570, CH 34 E1 (1983)
- Workshops, seminars, credentials and conditions: \*SB 3644, CH 266 (1983)

**EDUCATIONAL SERVICE DISTRICTS (See SCHOOLS AND SCHOOL DISTRICTS)****ELDERLY**

- Abuse in nursing homes, restraining order by local prosecutor: HB 346, SHB 346, \*SSB 3660, CH 269 (1983)
- Abuse, neglect, or abandonment, reporting required: SB 3060
- Age discrimination, increased to 70 years: \*HB 555, CH 293 (1983)
- Chore services: \*SSB 3308, CH 249 (1983)
- Cognitively impaired adults protected: HB 944
- Community-based care, nursing homes: HB 850, \*SSB 3757, CH 236 (1983)
- Electric utilities, receive tax credit for senior citizen reduced rate: HB 279
- Grandparent, visitation rights for grandchildren: HB 86
- Group fishing permits for facility residents: SB 3379
- Guardians, financial statements, filing requirements modified: \*SB 3763, CH 271 (1983)
- Home health care services, health insurance plans to cover: \*SSB 3308, CH 249 (1983)
- Hospices, insurance to provide coverage: \*SSB 3308, CH 249 (1983)
- Income tax on interest and dividends withholding repeal requested: HJM 13
- Life insurance, 62 year old policyholders, information: HB 140
- Long-term care and services, interim study: HFR 80
- Long-term care services: HB 395
- Long-term health care, ombudsman program: \*SHB 484, CH 290 (1983)
- Motor vehicle fuel tax exemption for nonprofit corporations: HB 539, \*SHB 539, CH 108 (1983)
- Nursing homes, community-based care: HB 850, \*SSB 3757, CH 236 (1983)
- Ombudsmen program, long-term health care facilities: HB 484, \*SHB 484, CH 290 (1983)
- Retirement age, mandatory provisions may be waived: HB 338
- Retirement facilities, industrial development revenue bonds authorized: HB 242, SSB 3173
- Senior citizen legislative interns, valuable perspective reflected on: HFR 43
- Sewer and water rates, may be delayed or adjusted: \*HB 520, CH 198 (1983)
- Tax exemption, annual filing requirement eliminated: HB 170, HB 360, HB 496, \*SHB 496, CH 11 E1 (1983), HB 696
- Tax exemption, combined disposable income of \$15,000 or less: HB 696
- Tax exemption, income level raised, adjustments depending on combined disposable income: HB 496, \*SHB 496, CH 11 E1 (1983)
- Tax exemption, income level raised, filing requirement eliminated: HB 170
- Tax exemption modified, income level adjustments: HB 262
- Tax exemption, nursing home costs deducted from income for senior citizen property tax exemption: HB 264, \*SHB 496, CH 11 E1 (1983)
- Tax exemption, publication of procedure so those who qualify know: HB 624
- Wood collection fees, 65 years old and over exempted: \*HB 436, CH 193 (1983)

**ELECTED OFFICIALS (See specific type)****ELECTIONS (See also CAMPAIGNS)**

- Absentee ballots for out of U.S.A. military: HB 841
- Absentee ballots for precinct committee person candidates: \*SSB 3742, CH 136 (1983)
- Absentee voting by late registrants: HB 265

**ELECTIONS—cont.**

- Agricultural district formation authorized: HB 690
- Ballot title lengths equalized for local ballots: HB 401
- Ballots, security, storage: HB 842
- Bond propositions, disclosure of annual per capita principal and interest costs: HB 702
- Bonds, state debt, limitation formula includes voter approved debt, exceptions: HB 54
- Collective bargaining, law enforcement, impasse: HB 721
- Contest of outcomes: \*SSB 3520, CH 20 E1 (1983)
- County freeholders, appointments to fill vacancies: SSB 3098
- Cultural arts, stadium and convention district formation, proposition to appear at special election: HB 122
- Cultural arts, stadium and convention district formation, special election called by resolution: SSB 3608
- District court judge, majority at primary, stand unopposed at general election: HB 30
- Election returns, Congress to regulate: HJM 29
- Energy financing voter approval act, repealed: HB 810
- Exit polling, prohibited: HB 214
- Exit polling, regulated: \*HB 239, CH 33 E1 (1983)
- Financial affairs statement, must file to appear on ballot: HB 355
- Fish enhancement general obligation bonds: HB 965
- Flood control zone districts, excess tax rate authorized: \*SHB 1093, CH 315 (1983)
- Hospital districts, territory removal procedures: HB 571, SHB 571
- Initiative measures, review by attorney general if petitioner requests: HB 429
- Irrigation district polling places: SSB 3868
- Nonpartisan positions, primary procedures: HB 101
- Olympic county created subject to voter approval: HB 362, SB 3264
- Park and recreation service area, proposals, levies: HB 597, SHB 597, SSB 4015
- Political ad sponsor identification, public disclosure commission duties: HB 326
- Precinct committee candidates, absentee ballots: HB 100, \*SSB 3742, CH 136 (1983)
- Precincts, may not share voting devices: HB 266, \*SHB 266, CH 143 (1983)
- Presidential primary: HB 607
- Primaries, candidates pamphlet: HB 821
- Primaries, nonpartisan positions: HB 101
- Public disclosure reports, index for access: \*HB 569, CH 294 (1983)
- Recall procedures: SSB 3984
- Refunding bond act, voted general obligation bond exception removed: \*SSB 4007, CH 69 E1 (1983)
- Revenue increase limitation: HJR 40
- School community service districts: HB 461
- School district excess levies, simple majority required: HJR 31
- School district excess levies, 3/5ths majority required: SHB 439, SHJR 29
- School district excess levies, 40% validation requirement removed: HB 439, HJR 29
- School district levies, may exceed limitations, 1985-1990: HB 922
- School district levies, simple majority vote: HB 774, HJR 18
- School district levies, tax limit modified: HJR 33
- Special purpose districts, land ownership at least 30 days preceding elections: SHB 84
- Special purpose districts, land ownership at least 90 days preceding elections: HB 84
- Superior court judge election provision repealed: HJR 11
- Voter registration, up to 10 days before election: HB 761, SHB 761
- Voters, nonresidential, obsolete provision repealed: HJR 36
- Voter's pamphlet, candidates' statement, conditions: SB 3449
- Voter's pamphlet, counterfeited prohibited: HB 827
- Voter's pamphlet to contain campaign mailing addresses and telephone numbers: HB 699
- Voter's pamphlets to discuss bond measures: HB 193
- Voting by mail procedures regulated: HB 240, \*SHB 240, CH 71 E1 (1983)

**ELECTIONS**—cont.

- Voting, challenge of right to vote: \*SSB 3520, CH 30 E1 (1983)
- Voting, civil rights restoration provided for: HB 455
- Voting devices, one device per precinct: HB 266, \*SHB 266, CH 143 (1983)
- Voting, illegal votes, effect on elected officials eligibility: \*SSB 3520, CH 30 E1 (1983)
- Write-in candidates, procedures provided: HB 258

**ELECTRICIANS**

- Counties may enforce their own installation regulations: HB 716
- Counties may have higher standards: HB 895
- Electrical construction trade: HB 895, \*SSB 3055, Ch 206 (1983)
- Electrical construction trade, regulation, penalties: SSB 3055
- Electrical utility service installation charge, customer may contract privately: SB 3392
- Inspectors, certification: HB 726, SHB 726, HB 895
- Rules, regulations, or ordinances, dispute over submitted to arbitration: HB 895, \*SSB 3055, CH 206 (1983)

**ELECTRICITY** (See ENERGY; UTILITIES)**ELEVATORS**

- Regulated by state, local control authorized: \*SSB 3052, CH 123 (1983)
- Regulations, hearings and penalties provided for: \*SSB 3052, CH 123 (1983)

**EMERGENCY COMMISSION ON ECONOMIC DEVELOPMENT AND JOB CREATION**

Charles E. Cereghino, member	p. 1881
Ned Barnholt, member	p. 1881
Barbara Pool, member	p. 1881
Nancy Jacob, member	p. 1881
Nelson Grote, member	p. 1881
Joseph Dear, member	p. 1881
Rhonda Algier, member	p. 1881
Leslie Judd, member	p. 1881
James W. Miller, member	p. 1881
Lawrence Connell, member	p. 1882
John A. Hitchman, member	p. 1882
Robert Levin, member	p. 1882
Leland F. Smith, member	p. 1882
Orin Smith, member	p. 1882
Senator Ellen Craswell, member	p. 1882
Senator Larry Vognild, member	p. 1882
Senator Eleanor Lee, member	p. 1882
Senator R. Ted Bottiger, member	p. 1882
Representative Joe King, member	p. 1882
Representative Jerry Ellis, member	p. 1882
Representative Jean Silver, member	p. 1882
Representative Roger Van Dyken, member	p. 1882

**EMERGENCY SERVICES** (See also MT. ST. HELENS)

- Advanced life support technicians, labor relations: SHB 435
- Ambulances, first responders, certification: HB 859
- Certification procedures, immunity: HB 855, \*SHB 855, CH 112 (1983)
- Civil defense funding for nuclear attack opposed: HJM 5
- Collective bargaining for emergency medical technicians: HB 435
- Emergency medical services advisory council: HB 855, \*SHB 855, CH 112 (1983)
- Emergency medical services committee, sunset termination: HB 493, \*SHB 493, CH 197 (1983)
- Emergency medical technicians, uniformed personnel for collective bargaining: HB 435
- Emergency services, medical program director: HB 855, \*SHB 855, CH 112 (1983)
- First responders, certification: HB 859
- Nuclear attack, cities and counties need not plan for: HB 89

**EMINENT DOMAIN** (See REAL PROPERTY)**EMPLOYMENT AGENCIES**

Age discrimination, 40 to 70 years, unfair practice to refuse employment: SB 3196  
 Sexual orientation, may not discriminate: HB 556

**EMPLOYMENT SECURITY, DEPARTMENT OF**

Capital investment company authorized: SHB 228, 2SHB 228  
 Capital resource companies authorized: HB 228  
 Displaced workers: SHB 1051  
 Employment and conservation corps: HB 251  
 Employment commission created, recruit effective work force: HB 651  
 Evergreen state skill corporation: HB 231, SHB 231  
 Experience rating system data base: 2SSB 3085  
 Federal interest payment fund: HB 220  
 Firewood distribution project: HB 212  
 High technology in south Puget Sound: HB 565, SHB 565  
 Job skills program: \*2SHB 231, CH 21 E1 (1983)  
 Job training and partnership act, job loss: SHB 1051  
 OASI revolving fund: \*HB 223, CH 6 E1 (1983), SB 3314  
 Private sector job placement program: SB 3850  
 Unemployment, federal trust fund, period for use extended: HB 518, \*SB 3784, CH 7 E1 (1983)  
 Unfair labor practice complaint filing time limit, 6 months: \*HB 136, CH 58 (1983)  
 Work incentive demonstration project proposal: HB 897  
 Youth employment exchange: \*SHB 251, CH 50 E1 (1983)  
 Youth jobs program, administration of: HB 324

**EMPLOYMENT** (See WORK)**ENDRIN** (See AGRICULTURE)**ENERGY FACILITIES AND ENERGY FACILITIES SITE EVALUATION COUNCIL** (See also WPPSS)

Nuclear power plant site certification: HB 623  
 Public disclosure reports: SSB 3259  
 Thermal power plant site certification: HB 623  
 Voter approval act, initiative 394, repeal: HB 810

**ENERGY OFFICE** (See ENERGY)**ENERGY** (See also UTILITIES; WPPSS)

Building efficiency, commercial and residential, thermal and lighting standards: HB 2  
 Conservation analyses and financing authorized by electricity providers: HB 366, \*SHB 366, CH 62 (1983), SSB 3256  
 Conservation credits, electric utilities: HB 930  
 District heating, operating permits for heat supplier: HB 114, \*SHB 114, CH 94 (1983), SSB 3225  
 Electric distribution political subdivisions may establish heating systems: HB 113, SHB 113, \*SB 3224, CH 216 (1983)  
 Electric energy contracts by cities, cannot commit beyond express dollar amount: \*SHB 865, CH 308 (1983)  
 Electric energy contracts by cities, do not commit beyond local purpose: HB 865  
 Electric generating project financing (Merwin Dam): HB 838  
 Electric utility reduced rates for handicapped: HB 550  
 Electric utility service installation charge, customer may contract privately: \*SB 3392, CH 217 (1983)  
 Energy efficiency financing bonds: HB 883  
 Financing, state may lend its credit: HJR 19, SHJR 19, SSJR 112  
 Geothermal account, not subject to appropriation: HB 71  
 Geothermal district heating, operating permits: HB 114, SSB 3225  
 Grand Coulee dam celebration, Reagan invited: HJM 12  
 Grand Coulee Dam day: SJM 116  
 Hanford reservation, a National Energy Center: HJM 30

**ENERGY—cont.**

- Heaters, portable oil fueled heaters regulated: \*SSB 3251, CH 134 (1983)  
 Heating systems, counties, cities, towns, districts may establish: HB 113, SHB 113, \*SB 3224, CH 216 (1983)  
 Hot water heater thermostat setback: HB 177, \*SHB 177, CH 178 (1983), SSB 3277  
 Hydroelectric authority delegated to states: HJM 4  
 Hydroelectric development, irrigation districts: \*SSB 3511, CH 47 (1983)  
 Hydroelectric power license fee increased: HB 411  
 Joint operating agency, default is unlawful: HB 892  
 Meter tampering is theft: HB 921, SHB 921  
 Model conservation standards, conservation credits: HB 930  
 Model conservation standards for new structures: HB 162, SHB 162  
 Nuclear electricity generation, additional tax, expiration date removed: HB 52  
 Nuclear power plant site certification, additional consideration: HB 623  
 Small hydro, authority delegated to states: HJM 4  
 State agencies to implement energy conservation measures: \*SHB 1011, CH 313 (1983)  
 Thermal power plant site certification, additional consideration: HB 623  
 Voter approval act, Initiative 394, repealed: HB 810  
 Water power adjudications, fees to be used for: HB 411  
 Water power license fees: HB 411  
 Weatherization or home repair or home repair assistance, tax deduction, B&O, excise: HB 160, \*SSB 3244, CH 66 E1 (1983)  
 Yakima river basin hydroelectric development: SSB 3873

**ENGLISH AS A SECOND LANGUAGE (See SCHOOLS AND SCHOOL DISTRICTS)****ENLOW, FRED C.**

- Member, board of trustees for eastern Washington university:  
 GA 95 ..... pp. 438, 2307

**ENVIRONMENT, (See also AIR POLLUTION; ECOLOGY, DEPARTMENT OF; HAZARDOUS SUBSTANCES; WATER)**

- Arbor day: HFR 54  
 Conservation easements authorized: SB 3310  
 Council on environmental policy, legislature may establish: \*SSB 3006, CH 117 (1983)  
 Litter control and recycling act: \*SSB 4107, CH 277 (1983)  
 Litter control and recycling advisory committee: HB 929  
 Litter control fine increased: \*SSB 4107, CH 277 (1983)  
 Litter, resource conservation, litter defined: HB 929  
 Master permit process, environmental coordination: HB 165  
 Nisqually river basin: HCR 14  
 Pollution authority of DOE modified: \*SB 3674, CH 270 (1983)  
 Resource conservation and recovery act, DOE authority: \*SB 3674, CH 270 (1983)

**ENVIRONMENTAL IMPACT STATEMENTS (See ECOLOGY, DEPARTMENT OF)****ERA (See DISCRIMINATION)****ERICKSON, LARRY V.**

- Member, state jail commission: GA 15, confirmed ..... pp. 24, 195, 274

**ESCALATORS (See ELEVATORS)****ESL (See SCHOOLS AND SCHOOL DISTRICTS)****EVANS, DANIEL J.**

- Member, Pacific Northwest electric power and conservation  
 planning council: GA 107 ..... pp. 901, 1071

**EVERETT**

- Port study and review commission, effective cost and rate control program: HB 415

**EVERETT COMMUNITY COLLEGE DISTRICT 5, BOARD OF TRUSTEES**

Nancy L. Weis, member: GA 46, confirmed . . . . . pp. 29, 480, 599  
 Barbara L. Kusler, member: GA 45, confirmed . . . . . pp. 29, 480, 599

**EVERGREEN STATE COLLEGE**

George E. Manie, member board of trustees: . . .  
 GA 38, confirmed . . . . . pp. 28, 479, 598  
 Bond retirement fund: HB 809  
 Liberal arts priority: HCR 8

**EXCURSION SERVICES (See PUBLIC TRANSPORTATION)****EXECUTION AND ATTACHMENT (See SECURITY INTERESTS)****EXECUTIVE (See GOVERNOR)****EXIT POLLING (See ELECTIONS)****EXPORTING**

China exhibition council created: \*SHB 1089, CH 314 (1983)  
 Export assistance centers: HB 226, SHB 226, \*2SHB 226, CH 20 E1 (1983)  
 Export, import bank funding: HJM 19  
 International trade, tourism, and investment, joint select legislative committee:  
 SCR 127  
 Spirit of camaraderie maintained with Pacific Rim and Canada: HFR 96

**FACTORY BUILT HOUSING (See HOUSING)****FAIRS AND EXPOSITIONS**

Expo '86 international planning meeting delegates: SCR 122  
 Expo '86, state participation: \*HB 164, CH 177 (1983)  
 Fairs commission, sunset termination: HB 493, \*SHB 493, CH 197 (1983)  
 Pacific northwest trade exposition commended: HCR 10

**FAMILY LAW**

Adoption agency, must be licensed by DSHS: HB 772  
 Adoption procedures modified: HB 772  
 Adoption, 2 methods to extinguish the rights of a natural parent: HB 626  
 Child abuse and neglect noticed in family law hearing: SHB 167  
 Child abuse placement decisions, modified when circumstances change: \*SSB  
 3253, CH 246 (1983)  
 Child support due, dissolution, DSHS may collect indebtedness, conditions: HB 345  
 Child support due, garnishee exemption: SHB 345  
 Child support, enforcement modifications: \*SSB 3660, CH 269 (1983)  
 Child support, excuse from payments: HB 900  
 Child support, injunctions may be entered to modify existing decree: SHB 345  
 Child support obligations, collected from separate or community property: HB  
 345, SHB 345  
 Child support, owe public assistance, procedures: SHB 345  
 Child support, 5 year statute of limitation: HB 345, SHB 345  
 Children and family services act, avoid out-of-home placement: HB 433, \*SHB  
 433, CH 192 (1983)  
 Custody, attorney malpractice or misrepresentation, new proceeding: HB 407  
 Custody, interference with is a gross misdemeanor: SSB 3387  
 Custody, joint child custody provided for: HB 403, SHB 403, HB 695  
 Family court jurisdiction relates to children: \*SB 3442, CH 219 (1983)  
 Family courts, laws modified: HB 167, SHB 167  
 Family law proceedings defined: \*SB 3442, CH 219 (1983)  
 Father's existence, procedure: HB 345, SHB 345  
 Grandparents, visitation rights for grandchildren: HB 86  
 Guardians, financial statements, filing requirements modified: \*SB 3763, CH 271  
 (1983)  
 Homestead, powers of attorney, executed separately or jointly: \*SB 3426, CH 251  
 (1983)  
 Justice of peace references deleted, replaced with court of limited jurisdiction:  
 \*HB 284, CH 186 (1983), SB 3424



**FAMILY LAW—cont.**

- Juveniles, appeals from placement decision: \*SSB 3380, CH 50 (1983)
- Paternity blood testing: HB 345, SHB 345
- Paternity procedures: \*SSB 3660, CH 269 (1983)
- Support and maintenance, notice to obligor in arrears not required: \*HB 428, CH 45 E1 (1983)
- Truant school children, policy and procedures: HB 282, SHB 282
- Vital statistic certificate requirements: \*HB 428, CH 45 E1 (1983)
- Wills, statutory will adopted: HB 684

**FAULK, LAWRENCE J.**

- Member, pollution control hearings board: GA 22,  
confirmed ..... pp. 25, 140, 274

**FEDERAL GOVERNMENT**

- Agent orange problem: HFR 50
- Balanced federal budget requested: HJM 8
- Boldt decision: SJM 120
- BPA, industrial electrical customer users: HFR 14
- Budget, asks Congress to balance: HFR 17
- Citizens advisory commission on federal management areas: HB 886
- Civil defense funding for nuclear attack opposed: HJM 5
- Columbia river gorge, refrain from imposing federal control: HJM 18, SJM 110
- District of Columbia voting rights: HJR 27
- Economic equity act, equality for women: HJM 16
- Enterprise zone act, passage requested: HJM 6
- ERA passage urged: HJM 17
- Export import bank funding: HJM 19, SHJM 19
- Federal compliance only if there is an appropriation: HB 638
- Federal reserve act, repeal: SJM 121
- Flooding disaster areas, asking President to give federal assistance: HJM 9
- Grand Coulee dam celebration, Reagan invited: HJM 12
- Grand Coulee Dam day: SJM 116
- Health care facilities medicare reimbursement conditioned on social security participation: HJM 10
- HJM 16, exempted from applicable cutoff date: SCR 124
- Japanese war reparations passage of proposed legislation urged: HJM 23
- Job legislation requested: HJM 27
- Llewellyn M. Chilson, posthumous bestowal of congressional medal: HFR 60
- Nisqually Delta and Sequim Bay retained on sanctuaries list: HB 686
- Nuclear weapons freeze: HJM 3
- Nuclear weapons, mutual and verifiable freeze: SJM 106
- Peace and conflict resolution, national academy establishment requested: HCR 12
- Peace through strength: HJM 26
- POWs and MIAs: HFR 48
- Presidential primary: HB 607
- Redistricting act enacted: \*SSB 3112, CH 16 (1983)
- Redistricting in accordance with SHB 20: \*SHB 1038, CH 17 (1983)
- Rights and liberties, 9th and 10th amendment asserted: HB 638
- Salmon interception treaty, reject: HJM 20
- Savings account, 10% interest withheld, eliminate: SJM 104
- Tuition, nonresident exemption, participants in federal job corps: SB 3044
- Unemployment compensation, extended benefit eligibility criteria modified: \*HB 1, CH 1 (1983)
- Unemployment trust fund, federal interest payment fund: HB 220
- Unemployment trust fund, period for use extended: HB 518, \*SB 3784, CH 7 E1 (1983)
- Vital services provided by local government, reimburse counties: HJM 2
- Worker impact policy: HJM 22

**FEDERAL HOUSING ADMINISTRATION (See HOUSING)**

**FERRY SYSTEM** (See TRANSPORTATION, DEPARTMENT OF)**FINANCIAL INSTITUTIONS** (See also BANKS; CREDIT UNIONS; SAVINGS AND LOAN ASSOCIATIONS)

Activities which may be performed: HB 687, SHB 687

Agricultural development authority, long-term credit: HB 768

Banker's bank: HB 687, SHB 687

Capital investment company authorized: SHB 228, 2SHB 228

Capital resource companies authorized: HB 228

Cities, investments regulated: HB 547, \*SHB 547, CH 66 (1983)

Community development finance corporation established: HB 213, SHB 213

Department of financial institutions created: HB 676

Federal reserve act, repeal: SJM 121

Higher education facility authority, financing for private nonprofit institutions:  
\*SSB 3433, CH 169 (1983)

Holding companies, Seattle First-type situations: \*SB 3182, CH 157 (1983)

Holding company acquisitions: HB 687, SHB 687

Home loans for veterans: HJR 15

Interest rates, absence of written agreement: HB 882, \*SHB 882, CH 309 (1983)

Joint committee on financial institutions membership modified: SHB 996

Public assistance, bank account check by social security number: HB 397

Public depositories, cities may deposit funds in certain: HB 547, \*SHB 547, CH 66 (1983)

Residential financing, public pension guarantee fund to provide money: HB 267

Safe deposit vault rent due, notice procedures: \*HB 479, CH 289 (1983)

Savings account, 10% interest withheld, eliminate: SJM 104

Seattle First-type situations, holding company acquisitions: \*SB 3182, CH 157 (1983)

Small business assistance coordinating council: HB 689, SHB 689

Uniform unclaimed property act enacted: HB 179, \*SHB 179, CH 179 (1983)

Veteran's home loan financing program established: HB 186

WPPSS financial resolution called for: HJM 11, SCR 107

**FINANCIAL MANAGEMENT, OFFICE OF**

Airplane use, procedures for use or purchase: SHB 406

Annual state budget required: HB 527

Central stores revolving fund, expenditure procedures: SSB 4059

Construction, cost of construction factor bid limitations: HB 619

Economic and revenue forecasting council: HB 784, SHB 784

Emergency funding, general fund repayment procedures: HB 406, SHB 406

Fiscal impact statements, initiative or referendums: HB 920

Hiring policy that does not disproportionately favor management: HB 283

Initiative or referendums, fiscal impact statements: HB 920

Interlocal cooperation reimbursement money: HB 406

Obsolete funds and accounts abolished: HB 325, \*SHB 325, CH 189 (1983)

Printing needs of state agencies studied: HB 378

Reduction in force may not disproportionately favor management: HB 283

Revolving funds, bid procedures for excess contracts: SSB 4063

Schools, bond authorization for plant facility construction and modernization: HB 427

**FINKLE, GEORGE A.**

Member, sentencing guidelines commission:

GA 32, confirmed ..... pp. 27, 1303, 1996, 2019

**FIRE MARSHAL** (See STATE FIRE MARSHAL)**FIRE PROTECTION** (See also STATE FIRE MARSHAL)

Air navigation facilities, city has fire code responsibility: HB 903

Buildings, fire safety director or staff immune from good faith acts: HB 91, SSB 3057

Cities or towns may contract to provide state: \*HB 35, CH 87 (1983)

Clean up of hazardous material incidents, liable for extraordinary costs: SSB 3740

Collective bargaining, firefighters are employees of port for labor purposes: HB 434, \*SHB 434, CH 287 (1983)

**FIRE PROTECTION—cont.**

- Day care registration and safety: SSB 3739
- Federal property, benefit from local services, reimburse counties: HJM 2
- Fire chief excluded from civil service: HB 577
- Fire protection board created: HB 447
- Fire service training purposes: HB 447
- Forest protection assessments, exemptions: HB 661, \*SHB 661, CH 299 (1983)
- Guard dogs, notice must be given: \*SB 3537, CH 258 (1983)
- Hazardous materials incident command agency designation optional: SSB 3740
- Hazardous materials incidents, procedures, immunities: HB 505
- Hazardous waste handlers public disclosure records: HB 669
- Insurance premiums taxed: HB 641
- LEOFF, children tuition benefit age lowered: HB 856, SHB 856
- LEOFF, compensation modified employer and state cost sharing: HB 884
- LEOFF, disability determinations, not in line of duty: HB 884
- LEOFF system to be reviewed: SSB 3226
- Nursery schools, preschools, kindergartens, safety regulation waiver: SSB 3739
- Port districts, a public employer of fire fighters for collective bargaining: HB 434, \*SHB 434, CH 287 (1983)
- Psychologist fees paid for by retirement system: SSB 3226
- Smoking in public areas restricted: HB 229
- State agencies, cities or towns may contract to provide: \*HB 35, CH 87 (1983)
- State agency contract authority transferred: \*HB 313, CH 146 (1983)
- State facilities, benefit from local services, reimburse county or city: HB 5
- Training program: \*2SHB 231, CH 21 E1 (1983)
- Transient accommodations, repeals laws except fire marshal rulemaking authority: HB 273

**FIREARMS (See GUNS)****FIREWORKS**

- Gross misdemeanor for certain violations: SB 3636
- Hours of use, may not discharge after 11 p.m. and before 9 a.m.: SB 3636
- Use prohibited except for ceremonial religious use or agricultural and wildlife use: HB 41

**FISH (See FISHERIES, DEPARTMENT OF; GAME, DEPARTMENT OF)****FISHER, RANDY S.**

- Director, department veterans affairs: GA 4,  
confirmed ..... pp. 22, 107, 144

**FISHERIES, DEPARTMENT OF**

- William R. Wilkerson, director: GA 105 ..... p. 705
- Anadromous game fish buyers license, may purchase from Indians: HB 233, \*SHB 233, CH 284 (1983)
- Andrew W. Anderson recreational fishing area: SCR 118
- Aquatic land management: SHB 980
- Boldt decision: SJM 120
- Capital improvement bonds authorized: \*HB 58, CH 59 E1 (1983)
- Clam diggers license increased: \*SSB 3628, CH 31 E1 (1983)
- Conservation corps established within many agencies: \*2SSB 3624, CH 40 E1 (1983)
- Disabled, exemption from fees: HB 402
- Dungeness crab, Puget Sound, need license endorsement: SB 3475
- Fees, fines, forfeitures, and penalties, uniformity in collection and distribution: HB 508
- Fees, fines, forfeitures, procedures for remittance to state treasurer: HB 510
- Fish enhancement general obligation bonds: HB 965
- Fish passages, reclamation projects: HB 582
- Fisheries code reorganized: HB 278, \*SHB 278, CH 46 E1 (1983)
- Fishing guide license, CPR and first aid required: HB 502
- Fishing license free to wheelchair confined persons: \*SB 4156, CH 280 (1983)
- Fishing license must contain statement that trespass is a crime: HB 42

**FISHERIES, DEPARTMENT OF—cont.**

- Fishing licenses, fees modified: HB 832
- Fishing licenses, steelhead punchcard free if under 16: SSB 3800
- Fishing permit for groups from residential facilities: SB 3379
- Hatcheries, sale of surplus salmon: HB 745, SB 3647
- Hydraulic projects, plans no longer required, approval by departments to be reasonably given: HB 801, SSB 3154
- Hydraulic projects, renew within certain time or deemed okay: HB 794, HB 801
- License plates, personalized, nongame specie clarified: HB 803
- Management hampered by federal government: HB 638
- Oyster farmers, DSHS licensing fee exemptions: HB 691
- Patrol boats: HB 785
- Sales of food fish or shellfish, license required: HB 941
- Salmon allocation plan, modification: HCR 13
- Salmon delivery permits: \*HB 585, CH 297 (1983), SB 4174
- Salmon fishing, commercial, prohibited below Bonneville dam: HB 291, \*SSB 3217, CH 245 (1983)
- Salmon interception treaty, reject: HJM 20
- Salmon, surplus, sale provided for: HB 745, SB 3647
- Shrimp, Hood Canal licensing: \*SSB 3628, CH 31 E1 (1983)
- Steelhead declared a national game fish: HJM 32
- Steelhead punchcard free if under 16: SSB 3800
- Sturgeon fishing with a set line, endorsement necessary: \*HB 674, CH 300 (1983)
- Warm water fish stamp, requirement removed: SB 3045
- Wheelchair confined persons, free fishing license: \*SB 4156, CH 280 (1983)

**FLEMING, SENATOR GEORGE**

- Oath of office ..... p. 2
- Appointed member, education, judiciary, rules and ways and means committees ..... p. 33
- Parliamentary inquiry, EHB 1075 ..... p. 432
- Remarks, commission reporting to legislature ..... p. 539
- Remarks, 2SSB 3230 ..... p. 759
- Remarks, vote on HJR 27, rules committee ..... p. 1117
- Personal privilege, length of workday ..... p. 1149
- Point of order, vote on SB 3182 ..... p. 1374
- Point of order, ESHB 278 ..... p. 1403
- Point of order, suspension of rules ..... p. 1615
- Appointed interim committee member LBC ..... p. 2428

**FLOOD CONTROL DISTRICTS**

- Construction, new, in flood zone, municipality liable: HB 628
- Delinquent assessments, parcel sales: \*SHB 1093, CH 315 (1983)
- Dredging, SEPA exemption by DOE to prevent flooding: HB 628
- Flood zone new construction, county or city is liable: HB 628
- SEPA exemption for dredging by DOE to prevent flooding: HB 628
- Stormwater purposes, flood control zone authorized to handle: HB 462
- Voting rights, land ownership at least 30 days preceding election: SHB 84
- Voting rights, land ownership at least 90 days preceding elections: HB 84
- Zone district, all usual powers of a corporation: \*SHB 1093, CH 315 (1983)
- Zone districts, excess tax rate authorized: \*SHB 1093, CH 315 (1983)

**FLOOR RESOLUTIONS – HOUSE**

- Academic decathlon, Capital high school seniors recognized: HFR 39
- Adjournment, three day periods until majority party acts on budget: HFR 76
- Administrative aides and secretaries, recognized: HFR 70
- Administrative aides of house recognized: HFR 97
- Adoption of temporary rules: HFR 1
- Agent orange problem: HFR 50
- A.H. Bingham's enthusiasm for life and public service noted: HFR 19
- Apple industry highly regarded: HFR 10
- Appointment of committee to notify senate of start of session: HFR 2
- Arbor day: HFR 54

**FLOOR RESOLUTIONS - HOUSE—cont.**

- Auburn high school Trojans, girls basketball champs: HFR 29  
 Barney Clark: HFR 53  
 Bearded caucus: HFR 100  
 Blaine Freer, journalistic efforts hailed: HFR 47  
 BPA, industrial electrical customer users: HFR 14  
 Business and education partnership: HFR 57  
 Cheryl Schmid, future homemakers of America: HFR 15  
 Chet Hatfield's passing mourned: HFR 98  
 Cle Elum-Roslyn, girls basketball recognized: HFR 24  
 Columbia river, deepening for crossing the bar: HFR 21  
 Community college system, economic recovery and job skills efforts applauded:  
 HFR 30  
 Comparable worth joint select committee: HFR 64  
 Eunice Cole recognized for nursing contributions: HFR 7  
 Everett, 90th birthday: HFR 73  
 Evergreen safety council, safety training and research association endorsed: HFR  
 88  
 Explorer scouts: HFR 44  
 Federal budget, asks Congress to balance: HFR 17  
 Frances Perkins recognized for her contributions to labor: HFR 49  
 Future homemakers of America, leadership skills: HFR 15  
 Game department 50 year anniversary: HFR 34  
 Garfield high school, state AAA champs: HFR 37  
 George Anna Adams Miller honored: HFR 8  
 German-Americans, contributions recognized: HFR 65  
 Glynn Ross, Seattle Opera efforts recognized: HFR 81  
 Grays harbor, deep water port: HFR 25  
 Group picture, arrangements to be made: HFR 12  
 Honorary state ship, M.V. President Washington: HFR 9  
 Idaho, Oregon, Washington, meetings for mutual concerns: HFR 40  
 Interim period and work necessary to be done: HFR 93  
 Iranian persecution of Bahai faith condemned: HFR 99  
 Jake the barber recognized: HFR 92  
 James R. Currico, VFW, welcomed: HFR 16  
 Karen Allen recognized and appreciated: HFR 6  
 Kay Thode, national legend: HFR 68  
 King county sports council 50 year anniversary: HFR 35  
 Kite flying festival: HFR 20  
 Knowledge bowl, Bremerton and Olympia high schools congratulated: HFR 78  
 Larry Nielson, Everest assault lauded: HFR 84  
 Llewellyn M. Chilson, posthumous bestowal of congressional medal: HFR 60  
 Logging and timber industry, foreign government contracts: HFR 62  
 Logging industry and Clyde Sprague supported: HFR 62  
 Logging industry and contracts supported: HFR 95  
 Longacres racetrack 50th anniversary: HFR 51  
 McChord and Fort Lewis, civic contributions saluted: HFR 87  
 McNeil, requests that the island be given to the state: HFR 18  
 Mother's day, first Sunday following sine die: HFR 79  
 Municipal clerks week: HFR 66  
 Norwegian independence day: HFR 85  
 Nurses, national week: HFR 77  
 Older Americans, interim study to address long-term care and services: HFR 80  
 Olympia high school, state knowledge bowl champs: HFR 83  
 Olympic high school Trojans, AA champs: HFR 36  
 Onalaska high school Loggers, basketball team: HFR 26  
 Organ donation week: HFR 74  
 Orting championship quality basketball team: HFR 23  
 Pacific Northwest world trade exposition: HFR 28  
 Pantages theatre restoration efforts commended: HFR 13  
 Paying homage to Martin Luther King: HFR 5

**FLOOR RESOLUTIONS - HOUSE—cont.**

- Phil Mahre recognized: HFR 46
- POWs and MIAs: HFR 48
- Public education supported: HFR 22
- Railroad retirement solvency act of 1983, federal yes vote: HFR 52
- R.C. Bremmer Bridges, 1-182, Yakima River: HFR 86
- Rolling Mother's day, first Sunday following sine die: HFR 79
- Rosalynn Sumners championship and birthday recognized: HFR 59
- Rosalynn Sumners, national championship: HFR 11
- School curriculum improvement: HFR 56
- Schools, business and education partnership: HFR 57
- Secretaries week: HFR 70
- Sehome high school, excellence in all fields commended: HFR 33
- Senior citizen legislative interns, valuable perspective reflected on: HFR 43
- Shelton correctional center staff recognized: HFR 90
- Sine die for extra session, message to senate: HFR 94
- Sine die message to senate: HFR 71
- Sonics 1983 NBA championship is inevitable: HFR 63
- Soundation '83 lauded: HFR 75
- Special session, house ready: HFR 72
- Spring clean week: HFR 61
- Student congress may use house chambers: HFR 38
- Tacoma community college Titans, basketball team: HFR 27
- Tacoma dome: HFR 67
- Tacoma youth symphony: HFR 89
- Teacher education upgrade: HFR 58
- Teaching assignment, area of competency: HFR 55
- Temporary rules to be considered for permanent adoption: HFR 3
- Thoroughbred horse racing industry: HFR 51
- Tom McCall's death grieved: HFR 4
- Tom Paur, small business person of the year: HFR 82
- Trading with Pacific Rim and Canada maintained: HFR 96
- Trojans, Auburn high school congratulated on basketball victory: HFR 41
- Utility bills, financial hardships: HFR 31
- Women's history week: HFR 32
- Women's marathon trials in Olympia, support urged: HFR 42
- WPPSS, investigate beneficial statutory changes: HFR 91
- WSU Cougars commended: HFR 69
- Youth legislature may use house chambers: HFR 45

**FOOD BANKS (See FOOD)****FOOD FISH (See FISHERIES, DEPARTMENT OF)****FOOD (See also AGRICULTURE)**

- Beverage containers, excludes milk-based or soy-based container: \*SB 3535, CH 257 (1983)
- Bread loaves, ethnic or specialty loaves: \*SHB 37, CH 89 (1983)
- Bread loaves, standard partial loaf defined: \*SHB 37, CH 89 (1983)
- Bread loaves, weight must be marked: HB 37
- Caterer's license for serving alcoholic beverages: HB 612
- Distribution to needy, donors or organizations are not liable for condition of food: \*SSB 3068, CH 241 (1983)
- Institutional industries, perishable foods, timber, agricultural surpluses may be sold or donated: SB 3527
- Milk-based or soy-based canned product, not a beverage container: \*SB 3535, CH 257 (1983)
- Sales tax on food extended through 83-85 biennium: HB 215
- Sales tax removed: HJR 25
- Sales tax removed 3/1/83: HB 310
- Sales tax removed 4/1/83: HB 314
- Substitution of food products by food service establishment regulated: HB 608, SHB 608

**FOOD—cont.**

Surplus salmon sales: HB 745, SB 3647

**FOREST PRACTICES APPEALS BOARD**

Dennis C. LeMaster, member: GA 101, confirmed . . . . . pp. 580, 995, 1996, 2097

**FOREST PRACTICES BOARD**

EIS requirements, forest practices exempt: \*SSB 3006, CH 117 (1983)

**FORESTS AND FOREST PRODUCTS (See NATURAL RESOURCES, DEPARTMENT OF; TAXES - TIMBER)****FORT STEILACOOM COMMUNITY COLLEGE DISTRICT 11, BOARD OF TRUSTEES**

Jack Watkins, Jr., member: GA 51, confirmed . . . . . pp. 30, 481, 601

**FRANCIS, PETE**

Appointed to redistricting commission . . . . . p. 299

**FRUIT STANDS (See AGRICULTURE)****FUEL TAXES (See TAXES - FUEL)****FULLER, SENATOR W. H. "BILL"**

Appointed member energy and utilities, institutions,  
and natural resources committees . . . . . p. 34  
Appointed interim committee member LTC . . . . . p. 2428

**FUND RAISING (See CAMPAIGNS)****FUNDS**

Annual state budget required: HB 527  
Aquatic land enhancement account: HB 809  
Business enterprises revolving fund created: HB 452, \*SHB 452, CH 194 (1983)  
Capital purchase and development account, fund distribution: HB 809  
Cemetery improvement fund, principal and income may be used: HB 322  
Central stores revolving fund, expenditure procedures: SSB 4059  
Citizen assessment revolving fund created: HB 672  
Common school building bond redemption fund created: HB 427  
Common school construction fund, funds transferred from resource management  
account: HB 470, \*SHB 470, CH 17 E1 (1983)  
Drinking deterrence and treatment fund, surcharge supported: HB 227  
Drug and alcohol education account: HB 681, SHB 681  
Drug enforcement and investigation board created: HB 629  
Drunk driver enforcement impact account: SHB 983  
DWI impact account created: \*SHB 289, CH 165 (1983)  
Economic development councils, matching funds, conditions: HB 580, SHB 580  
Employment labor relations service fund: HB 792  
Energy efficiency and economic development account: HB 883  
Essential rail assistance account created: \*HB 753, CH 303 (1983)  
Federal interest payment fund created: \*2SSB 3085, CH 13 E1 (1983)  
Fire service training account created from insurance premiums tax: HB 641  
Grant county arterial highway construction: SSB 4055  
Hazardous waste control and elimination account: HB 712, 2SSB 3722, \*SSB 4245,  
CH 70 E1 (1983)  
Hazardous waste fund revolving account: HB 717, SHB 717  
Health professions account created: \*SHB 359, CH 168 (1983)  
Institutional loan fund, transfer money to the higher education facilities: HB 53  
Land bank account created: SHB 181  
Land bank revolving fund created: HB 181  
Legislative facilities fund established: SSB 3622  
Obsolete funds and accounts abolished: HB 325, \*SHB 325, CH 189 (1983)  
Perpetual maintenance account radioactive waste management: \*SSB 3273, CH  
19 E1 (1983)  
Public pension guarantee fund created for residential financing: HB 267  
Public transportation account created: HB 775

**FUNDS—cont.**

- Refunding bond act, voted general obligation bond exception removed: \*SSB 4007, CH 69 E1 (1983)
- Revenue accrual account created: \*SB 3258, CH 7 (1983)
- Revolving funds, bid procedures for excess contracts: SSB 4063
- Rural arterial program: HB 235, \*SHB 235, CH 49 E1 (1983)
- Rural arterial trust account: HB 773
- Tourism promotion funding restored: HB 833
- Unemployment, federal trust fund, period for use extended: HB 518, \*SB 3784, CH 7 E1 (1983)
- Uninsured motorists' victim fund: HB 636
- Urban arterial trust account: HB 826
- UW building account, funds transferred from resource management cost account: HB 470, \*SHB 470, CH 17 E1 (1983)
- Vehicle emission control account, noncompliance areas, testing: HB 465
- Veteran's relief fund: HB 576, \*SHB 576, CH 295 (1983), SSB 4259
- Victims of alcohol-related traffic offenders indemnification account: HB 960

**FURLOUGHS (See CORRECTIONS)****GAMBLING (See also STATE LOTTERY)**

- Card games, commercial stimulants, businesses holding liquor licenses, conditions: SB 3114
- Coin-operated devices, certain taxes repealed: HB 666, SB 3985
- Coin-operated devices, tax: HB 635
- Commission members or employees may not benefit privately: HB 474
- Local government taxes, rate lowered: HB 815
- Member of nonprofit organization, enlarged to include national membership: SSB 3434
- Nonprofit organizations, winnings, limit increased: SSB 3434
- Parimutuel machines, proceeds: \*SSB 4101, CH 228 (1983)
- Political campaign committee, requirements: SB 3114
- Promotional drawings, valuable consideration redefined: HB 584
- Pull-tabs, limitation of stakes: SB 3114
- Taxation of receipts: SB 3114
- Uniform unclaimed property act enacted: \*SHB 179, CH 179 (1983)

**GAMBLING COMMISSION, STATE**

- Dick Pokornowski, member: GA 9, withdrawn . . . . . pp. 23, 438
- Lawrence G. Waldt, member: GA 10 . . . . . p. 23
- Patrick Keefe, member: GA 106 . . . . . pp. 719, 724
- Ronald S. Jones, member: GA 108 . . . . . p. 901

**GAME COMMISSION, STATE**

- Norman F. Richardson, member:
  - GA 99, confirmed . . . . . pp. 580, 939, 1996, 2022
- Jack Dierdorff, member:
  - GA 102, confirmed . . . . . pp. 594, 939, 1996, 2031

**GAME, DEPARTMENT OF**

- Anadromous game fish buyers license, may purchase from Indians: HB 233, \*SHB 233, CH 284 (1983)
- Andrew W. Anderson recreational fishing area: SCR 118
- Aquatic land management: SHB 980
- Bow and arrow, state-wide season: SSB 4084
- Conservation corps established within many agencies: \*2SSB 3624, CH 40 E1 (1983)
- Director, authority to adopt emergency rules: SB 3169
- Disabled, exemption from fees: HB 402
- Fees, fines, forfeitures, and penalties, uniformity in collection and distribution: HB 508
- Fees, fines, forfeitures, procedures for remittance to state treasurer: HB 510
- Fireworks use: HB 41
- Fishing guide license, CPR and first aid required: HB 502



**GAME, DEPARTMENT OF—cont.**

- Fishing license free to wheelchair confined persons: \*SB 4156, CH 280 (1983)
- Fishing license to state that trespass is a crime: HB 42
- Fishing licenses, fees modified: HB 832
- Fishing licenses, steelhead punchcard free if under 16: SSB 3800
- Game fund, deposit of civil penalties: \*SSB 3372, CH 8 E1 (1983)
- Group fishing permits for elderly and handicapped: SB 3379
- Hunting, civil penalties for illegal hunting: \*SSB 3372, CH 8 E1 (1983)
- Hunting guide license, CPR and first aid required: HB 502
- Hunting interference, misdemeanor: HB 923
- Hunting license, increase of fees: SB 3169
- Hunting license, revoked if trespass and/or steal a motor vehicle or livestock: HB 42
- Hydraulic projects, plans no longer required, approval by departments to be reasonably given: HB 801, SSB 3154
- Hydraulic projects, review within certain time or deemed okay: HB 794, HB 801
- In lieu of taxes: HB 105, SHB 105
- License plates, personalized, nongame specie clarified: HB 803
- Moose, requirement of supplemental stamp: SB 3169
- Poaching, seizure of weapons: HB 301
- Sales of food fish or shellfish, unlawful without license: HB 941
- Steelhead declared a national game fish: HJM 32
- Steelhead punchcard free if under 16: SSB 3800
- Warm water fish stamp, requirement removed: SB 3045
- Wheelchair confined persons, free fishing license: \*SB 4156, CH 280 (1983)
- Wildlife, civil penalty for illegal hunting: \*SSB 3372, CH 8 E1 (1983)
- 50 year anniversary: HFR 34

**GARBAGE TRUCKS (See UTILITIES AND TRANSPORTATION COMMISSION; WASTE DISPOSAL)****GARNISHMENT (See CIVIL ACTIONS AND PROCEDURES)****GASPARD, SENATOR MARC**

- Second nomination of Senator Goltz as president pro tempore . . . . . p. 4
- Appointed member agriculture, education, ways and means committees . . . . . p. 33
- Statement for journal, SB 3514 . . . . . p. 732
- Parliamentary inquiry, amendment SSB 3880 . . . . . p. 896
- Point of order and remarks, HB 106 . . . . . p. 980
- Point of order, SB 3182 . . . . . p. 1610
- Appointed interim committee member education commission of the state and LBC . . . . . p. 2428

**GAS TAX (See TAXES - FUEL)****GASOLINE**

- Deceptive pricing prohibited: \*SSB 4034, CH 114 (1983)

**GENERAL ADMINISTRATION (See also BANKS; CREDIT UNIONS; SAVINGS AND LOAN ASSOCIATIONS)**

- Central stores revolving fund, expenditure procedures: SSB 4059
- Computer-based economic analysis for cost-benefit analysis: SHB 406
- Computer-based economic analysis for procurement: HB 377
- Energy conservation measures, private investment: \*SHB 1011, CH 313 (1983)
- Fees, fines, forfeitures, procedures for remittance to state treasurer: HB 510
- Financial institutions department created: HB 676
- Fire protection services contract authority transferred to PCAA: \*HB 313, CH 146 (1983)
- Legislative buildings, removed from control of Dept. of Gen. Admin.: SSB 3622
- Legislature office occupancy rent exemption removed: HB 406, SHB 406
- Minority and women-owned businesses, participation enhanced: HB 163, SHB 163, \*2SSB 3230, CH 120 (1983)
- Motor pool, school director's association may use: \*HB 300, CH 187 (1983)

**GENERAL ADMINISTRATION—cont.**

- Prison work programs, record storage and retrieval: HB 579, \*SHB 579, CH 296 (1983)
- Private investment in energy conservation measures: \*SHB 1011, CH 313 (1983)
- Purchasing, adding premium to bids of out of state vendors with preferences: HB 232, \*SHB 232, CH 183 (1983), SB 3422
- Purchasing and material control policies, submit to legislature: HB 377
- Purchasing, consider return on investment, lease versus purchase, present value theories, life-cycle costing: HB 377
- Purchasing, list of regulations to be compiled: \*SHB 232, CH 183 (1983)
- Purchasing, outside continental USA, competitive bid procedures repealed: HB 209, SB 3417
- Purchasing, reciprocity, in-state preferences: \*SHB 232, CH 183 (1983)
- Purchasing, use of competitive sealed proposals: HB 286
- Real property leases from government units when feasible: HB 910
- Reimburse local governments for vital services: HB 5
- State agencies and higher education, purchasing limits: \*HB 208, CH 141 (1983), SB 3412
- Supply management advisory board membership increased: HB 377
- Travel office for state employees' trips: HB 894
- Uniform procurement system: SHB 406
- Uniform procurement system to be developed: HB 377
- WSDOT contract authority, indemnity provisions: \*HB 184, CH 29 (1983)

**GENERAL ELECTION (See ELECTIONS)****GEOGRAPHIC NAMES (See NATURAL RESOURCES, DEPARTMENT OF)****GEOHERMAL (See ENERGY)****GLANT, EARLE**

Member, state lottery commission: GA 71 . . . . . pp. 46, 455

**GLUE (See HAZARDOUS SUBSTANCES)****GOLTZ, SENATOR H. A. "BARNEY" (See also PRESIDENT PRO TEMPORE, RULINGS BY PRESIDENT PRO TEMPORE, also PARLIAMENTARY INQUIRIES)**

Oath of office . . . . . p. 2

Elected President pro tempore . . . . . p. 4

Appointed member agriculture, education, energy and utilities and rules committees . . . . . p. 33

Remarks, SSB 3183 . . . . . p. 745

Point of order, SCR 124 . . . . . p. 1126

Parliamentary inquiry, EHB 620 . . . . . p. 1384

Remarks, SHB 605 . . . . . p. 2426

Appointed interim committee member joint legislative ethics board . . . . . p. 2428

**GONSALEZ, JOHN**

Director, state department of licensing: GA 82, confirmed . . . . . pp. 151, 255, 319

**GOULD, SUSAN E.**

Member, board of trustees central Washington university: GA 77, confirmed . . . . . pp. 134, 2282, 2284

**GOVERNOR (See also SPELLMAN, GOVERNOR JOHN)**

State of the state address . . . . . p. 35

Proclamation of potato day . . . . . p. 639

Proclamation of Barney Clark day . . . . . p. 1093

Proclamation, convening special sessions . . . . . pp. 1611, 1629, 2389, 2393, 2433

Message to joint session, WPPSS crisis . . . . . p. 1808

Budget document, restrictions: HB 957

Capital budget adopted: HB 55, \*SHB 55, CH 57 E1 (1983)

**GOVERNOR—cont.**

- Capital debt management program: HB 942
- Corrections standard board report: HB 764
- Federal management areas, citizens advisory commission: HB 886
- Gubernatorial appointments, need confirmation by next regular session: SB 3507
- Operating budget adopted: HB 49, SHB 49, \*HB 1079, CH 76 E1 (1983)
- Reorganization of executive branch: HJR 13
- Salary increase: HB 50, SHB 50
- Salary, other state employees must be lower: SB 3427
- Supplemental budget request: \*2SSB 3100, CH 12 (1983)
- World expo of 1986, state participation: \*HB 164, CH 177 (1983)
- WPPSS, joint session: HCR 26

**GRANLUND, SENATOR BARBARA**

- Oath of office ..... p. 2
- Appointed member institutions, local government, social  
and health services and transportation committees ..... p. 34
- Statement for journal, SB 3492 ..... p. 1489
- Appointed interim committee member sentencing guidelines commission,  
LTC and legislative advisory committee on state government organization p.  
2428

**GRAYS HARBOR COMMUNITY COLLEGE DISTRICT 2, BOARD OF TRUSTEES**

- Richard Murakami, member: GA 42, confirmed ..... pp. 29, 480, 598

**GREEN RIVER COMMUNITY COLLEGE DISTRICT 10, BOARD OF TRUSTEES**

- Beverly A. Schoenfeld, member: GA 50, confirmed ..... pp. 30, 481, 600

**GREENE, ROBERT T.**

- Member, state board for community college  
education: GA 6 ..... p. 22

**GROUND WATER (See WATER)****GROUP HOMES (See HANDICAPPED; SHELTERS)****GUARDIANS (See FAMILY LAW)****GUBERNATORIAL APPOINTMENTS (See also individual names)**

- Amen, Otto, member, public disclosure commission: SGA 78, confirmed
- Anderson, James E., member, board of trustees, Skagit community college district no. 4: SGA 44, confirmed
- Banks, Cherry A. McGee, member, board of trustees, Shoreline community college district no. 7: SGA 93
- Beauchamp, Henry, member, state jail commission: SGA 69, confirmed
- Berry, C. Michael, member, WPPSS executive board of directors: SGA 67
- Blair, Anne S., member, board of trustees, Olympic community college district no. 3: SGA 43, confirmed
- Blankenship, Leland, public printer: SGA 2, confirmed
- Blosser, J.H. Jack, member, board of trustees, Wenatchee community college district no. 15: SGA 54, confirmed
- Bolds, Silva, member, interagency committee for outdoor recreation: SGA 11, confirmed
- Boone, Dan, member, state jail commission: SGA 14, confirmed
- Boyd, Robert A., director, state lottery commission: SGA 1
- Burrows, Donald R., director, department of revenue: SGA 3, confirmed
- Carlson, Edward E., member, board of regents, University of Washington: SGA 28, confirmed
- Chinn, Warren L., member, Washington horse racing commission: SGA 94, confirmed
- Clifford, Chief Arthur F., member, sentencing guidelines commission: SGA 31, confirmed
- Conoley, Karen B., member, board of prison terms and paroles: SGA 25, confirmed
- Costa, Manuel E., member, sentencing guidelines commission: SGA 30, confirmed

**GUBERNATORIAL APPOINTMENTS—cont.**

- Culp, Gordon C., member, board of regents, University of Washington: SGA 29, confirmed
- Danekas, Ralph, member, state lottery commission: SGA 17
- DeLaittre, David J., member, commission for the blind: SGA 5, confirmed
- Dierdorff, Jack L., member, state game commission: SGA 102, confirmed
- Doelman, Cornelius, member, board of trustees, Centralia community college district no. 12: SGA 52, confirmed
- Duffie, Cornelius R., member, WPPSS executive board of directors: SGA 65
- Enlow, Fred C., member, board of trustees, Eastern Washington university: SGA 95
- Erickson, Larry V., member, state jail commission: SGA 15, confirmed
- Evans, Daniel J., member, Pacific Northwest electric power and conservation planning council: SGA 107
- Faulk, Lawrence J., member, pollution control hearings board: SGA 22, confirmed
- Finkle, George A., member, sentencing guidelines commission: SGA 32, confirmed
- Fisher, Randy S., director, department of veterans affairs: SGA 4, confirmed
- Glant, Earle, member, state lottery commission: SGA 71
- Gonzalez, John, director, department of licensing: SGA 82, confirmed
- Gould, Susan E., member, board of trustees, Central Washington University: SGA 77, confirmed
- Green, Robert T., member, state board for community college education: SGA 6
- Gustafson, Jack R., member, state parks and recreation commission: SGA 87
- Hall, Mary D., member, utilities and transportation commission: SGA 63
- Hansen, Paul D., member, sentencing guidelines commission: SGA 33, confirmed
- Hayes, Philip S., member, state board for community college education: SGA 7, confirmed
- Helke, Richard E., member, state investment board: SGA 13
- Hennum, Lars, member, state board of pharmacy: SGA 97
- Hornibrook, R. E. "Ted", member, state jail commission: SGA 70, confirmed
- Hubbard, Vaughn, member, state transportation commission: SGA 36, confirmed
- Hughes, Jane G., member, board of trustees, Peninsula community college district no. 1: SGA 41, confirmed
- Jarvis, Cherry L., member, board of trustees, Shoreline community college district no. 7: SGA 47, confirmed
- Jessup, John H. Jr., member, interagency committee for outdoor recreation: SGA 12, confirmed
- Johnson, George W., member, board of prison terms and paroles: SGA 26, confirmed
- Jones, Ronald S., member, gambling commission: SGA 108
- Justice, David, member, board of trustees, Walla Walla community college district no. 20: SGA 85
- Keefe, Thomas Patrick, member, gambling commission: SGA 106
- Kelly, Samuel E., member, board of tax appeals: SGA 35, confirmed
- Kenney, Phyllis M., member, corrections standards board: SGA 8, confirmed
- Korten, Mardith A., member, board of trustees, Lower Columbia community college district no. 13: SGA 79, confirmed
- Krug, Mary Ellen, member, public employment relations commission: SGA 27, confirmed
- Kuney, Max J. (Jeff) III, member, board of trustees, Spokane community college district no. 17: SGA 57
- Kusler, Barbara L., member, board of trustees, Olympic community college district no. 3: SGA 45, confirmed
- Lambert, Lenore, member, state lottery commission: SGA 19
- Laxton, H. Dean, member, board of trustees, Big Bend community college district no. 18: SGA 58
- Le Master, Dennis C., member, forest practices appeals board: SGA 101, confirmed
- LeCocq, Irwin J., member, board of trustees, Western Washington university: SGA 39

**GUBERNATORIAL APPOINTMENTS—cont.**

- Lobe, Ludwig, member, health care facilities authority: SGA 90, confirmed
- Loposer, Avery K., member, board of trustees, Olympic community college district no. 3: SGA 84
- Mack, Paul, member, state lottery commission: SGA 20
- Maisel, Cynthia, member, council for postsecondary education: SGA 23, confirmed
- Manning, Thomas J., member, board of prison terms and paroles: SGA 24, confirmed
- Mante, George E., member, board of trustees, Evergreen state college: SGA 38, confirmed
- McEachran, David S., member, state jail commission: SGA 16, confirmed
- McGlashan, Patricia A., member, board of trustees, Bellevue community college district no. 8: SGA 48, confirmed
- McHenry, Darlene C., member, human rights commission: SGA 68
- McMillan, Dee, member, board of trustees, Spokane community college district no. 17: SGA 56, confirmed
- Montchalin, Yvonne C., member, board of trustees, Clark community college district no. 1: SGA 53, confirmed
- Moriguchi, Tomio, member, board of trustees, Seattle community college district no. 6: SGA 73
- Murakami, Richard, member, board of trustees, Grays Harbor community college district no. 2: SGA 42, confirmed
- Netherland, Warren, member, sentencing guidelines commission: SGA 34, confirmed
- Newman, Della M., member, state personnel board: SGA 76
- Panther, Robert D., member, state investment board: SGA 89
- Pardini, Anthony J., member, utilities and transportation commission: SGA 74
- Patton, Carolyn, member, state lottery commission: SGA 18
- Pokornowski, Dick, member, gambling commission: SGA 9, withdrawn
- Ray, James D., member, board of trustees, Eastern Washington university: SGA 37
- Richardson, Norman F., member, state game commission: SGA 99, confirmed
- Richmond, Chester A., Jr., member, board of pilotage commissioners: SGA 83, confirmed
- Roberts, Mabel E. "Mickey", member, board of trustees, Whatcom community college district no. 21: SGA 80
- Runstad, Adair F., member, board of trustees, Walla Walla community college district no. 20: SGA 60
- Schoenfeld, Beverly A., member, board of trustees, Green River community college district no. 10: SGA 50, confirmed
- Semerad, David C., member, commission for vocational education: SGA 64
- Shaw, W. David, member, board of trustees, Columbia Basin community college district no. 19: SGA 59
- Sherwood, Cameron, member, personnel appeals board: SGA 103, confirmed
- Stablein, Richard A., executive director, data processing authority: SGA 104, confirmed
- Stender, John H., member, apprenticeship council: SGA 98, confirmed
- Stevens, Dan W., member, board of trustees, Yakima community college district no. 16: SGA 55, confirmed
- Stevens, Vincent L., chairman, state health coordinating council: SGA 96
- Swayze, Marliis M., member, board of trustees, Tacoma community college district no. 22: SGA 88, confirmed
- Thacker, Virginia M., member, board of trustees, Highline community college district no. 9: SGA 49, confirmed
- Thompson, Joseph J., member, state board of pharmacy: SGA 21, confirmed
- Tracy, Harold L., member, board of trustees, Central Washington university: SGA 92
- Vynne, Eustace "Sunny", Jr., member, state parks and recreation commission: SGA 81
- Wade, Anne M., member, board of trustees, Tacoma community college district no. 22: SGA 61, confirmed

**GUBERNATORIAL APPOINTMENTS—cont.**

- Waldo, James C., member, board of trustees, Western Washington university:  
SGA 40, confirmed
- Waldt, Lawrence G., member, gambling commission: SGA 10
- Wall, William E., member, WPPSS executive board of directors: SGA 66
- Warren, F. George, member, state board for community college education: SGA  
75
- Watkins, Jack Jr., member, board of trustees, Fort Steilacoom community college  
district no. 11: SGA 51, confirmed
- Watson, Norma Jean, member, board of trustees, community college district no.  
18: SGA 100
- Weis, Nancy L., member, board of trustees, Everett community college district no.  
5: SGA 46, confirmed
- Weza, I. A. Tony, member, public disclosure commission: SGA 86, confirmed.
- Wheeler, Marc, member, board of trustees, Centralia community college district  
no. 12: SGA 109
- White, Walter E., member, personnel appeals board: SGA 72, confirmed
- Wilkerson, William R., director, department of fisheries: SGA 105
- Wilson, Majel A., member, board of trustees, Edmonds community college district  
no. 23: SGA 62, confirmed
- Wittman, Philip R., member, board of prison terms and paroles: SGA 110,  
confirmed
- Zoloth, Arthur M., member, state board of pharmacy: SGA 90

**GUESS, SENATOR SAM C.**

- Oath of office ..... p. 2
- Appointed member education, rules  
and transportation committees ..... p. 33
- Parliamentary inquiry, SB 4202 ..... p. 798
- Personal privilege, ruling on SB 3114 ..... p. 875
- Point of order, HB 30 ..... p. 1077
- Remarks, vote on HJR 27 ..... p. 1118
- Parliamentary inquiry, SB 3182 ..... p. 1615
- Point of order, scope and object SSB 3248 ..... p. 1703
- Point of order, scope and object ESSB 3660 ..... p. 1715
- Point of order, SSB 3982 ..... p. 1719
- Point of order, SB 3838 ..... p. 1775
- Parliamentary inquiry, order of bills on calendar ..... p. 2130
- Parliamentary inquiry, ESHB 52 ..... p. 2387
- Appointed interim committee member LTC ..... p. 2428

**GUSTAFSON, JACK R.**

- Member, state parks and recreation commission: GA 87 ..... p. 183

**GUNS**

- Age of possession, reduced to 18: HB 90
- Concealed weapon permit, conditions: HB 780, \*SSB 3782, CH 232 (1983)
- Concealed weapon renewal fees: HB 453, SHB 453
- Concealed weapons license fees, deposited in criminal justice training account:  
HB 453, SHB 453
- Deadly weapon, finding of fact, special verdict: \*SB 3416, CH 163 (1983)
- Deadly weapon, use of what appears to be during rape: HB 31, HB 700, \*SB 3009,  
CH 73 (1983)
- Felonies listed: HB 780, \*SSB 3782, CH 232 (1983)
- Firearm, defined: HB 780, \*SSB 3782, CH 232 (1983)
- Juvenile disposition standards, one additional year for offenses using gun: HB 431
- Machine gun testing, produce, manufacture: HB 294
- Poaching, seizure of weapons: HB 301
- Rape, use of deadly weapon during rape: HB 31, HB 700, \*SB 3009, CH 73 (1983)
- Unlawful possession: HB 780, \*SSB 3782, CH 232 (1983)

**HALEY, SENATOR TED**

- Appointed member, commerce and labor, parks and ecology and transportation committees . . . . . p. 34
- Parliamentary inquiry, SHB 336 . . . . . p. 1115
- Point of order, HB 555 . . . . . p. 1386
- Personal privilege, CAT scanner . . . . . p. 1573
- Point of order, SSB 3181 . . . . . p. 1750
- Appointed interim committee member energy advisory council and legislative budget committee . . . . . p. 2428

**HALL, MARY D., PH. D.**

- Member, utilities and transportation commission: GA 63 . . . . . pp. 33, 531

**HANDGUNS (See GUNS)****HANDICAPPED**

- Alternative care, must advise annually: HB 187, \*SHB 187, CH 60 (1983)
- Autism as a developmental disability: HB 346, SHB 346, \*SSB 3660, CH 41 E1 (1983)
- Chore services: \*SSB 3308, CH 249 (1983)
- Cognitively impaired adults protected: HB 944
- Custody, interference is a gross misdemeanor or felony: SSB 3387
- Developmentally disabled habilitative services: \*HB 270, CH 145 (1983)
- Developmentally disabled, parent participation in care and training modifies assistance eligibility: \*HB 905, CH 310 (1983)
- Disabled parking, card and one decal: HB 418
- Disabled parking law regulations modified: SHB 448
- Disabled parking, mental health providers, conditions: SHB 448
- Disabled parking, no additional fee at renewal time: HB 418
- Disabled parking, parking space designation, new requirements: HB 418
- Disabled parking, penalties increased: HB 448, SB 3222
- Disabled parking, respiratory problems may qualify: HB 418, HB 448, SB 3222
- Disabled parking, special license plate: HB 418
- Disabled parking, unauthorized car in space to be impounded: HB 418
- Disabled parking, unauthorized use of decals, fine plus mandatory community service: HB 418
- Education, specially designed construction: HB 633
- Financial responsibility act, DSHS: HB 343
- Fishing license free to wheelchair confined persons: \*SB 4156, CH 280 (1983)
- Fishing permits for groups from residential facilities: SB 3379
- Foster care for developmentally disabled, court review: HB 906, \*SHB 906, CH 311 (1983)
- Guardians, financial statements, filing requirements modified: \*SB 3763, CH 271 (1983)
- Health care consent: HB 703
- Hiring of, B&O tax credit: HB 849
- Home health care services, health insurance plans to cover: \*SSB 3308, CH 249 (1983)
- Hospices, insurance to provide coverage: \*SSB 3308, CH 249 (1983)
- Hunting and fishing fee exemption: HB 402
- Industrial development revenue bonds authorized for developmentally disabled facilities: SSB 3173
- Long-term care services: HB 395
- Long-term health care, ombudsman program: \*SHB 484, CH 290 (1983)
- Motor vehicle fuel tax exemption for nonprofit corporations: HB 539, \*SHB 539, CH 108 (1983)
- Nonresidential services, handicapped parents: SHB 187
- Ombudsmen program, long-term health care facilities: HB 484, \*SHB 484, CH 290 (1983)
- Parent is developmentally disabled, services to help family unit: \*SHB 187, CH 60 (1983)
- Preschool education for children: HB 168
- Residential school residents, return to community, hearing: HB 634

**HANDICAPPED—cont.**

- Schools, categorical programs, specific designation when appropriations made: SB 4093
- Services, persons to be advised annually of alternatives: HB 187, \*SHB 187, CH 60 (1983)
- Sewer and water rates, may be delayed or adjusted: \*HB 520, CH 198 (1983)
- Students, eligibility period for education modified: HB 196
- Training programs for children under 3: HB 196
- Utility rates reduced, conditions: HB 550
- Wheelchair confined persons, free fishing license: \*SB 4156, CH 280 (1983)
- Wheelchair conveyance, licensing requirements: HB 546, \*SHB 546, CH 200 (1983)
- Wheelchair transport, license exemptions: HB 545
- Wheelchair transport, vehicle brake requirements: HB 94, HB 545

**HANFORD (See HAZARDOUS SUBSTANCES)****HANSEN, IDA AGATHA PLATTE**

- Honored on 100th birthday, SFR-11 ..... p. 189

**HANSEN, PAUL D.**

- Member, sentencing guidelines commission: GA 33, confirmed ..... pp. 27, 1304, 1996, 2019

**HANSEN, SENATOR FRANK "TUB"**

- Oath of office ..... p. 2
- Nomination of Senator Goltz for president pro tempore ..... p. 4
- Appointed member, agriculture, parks and ecology and transportation committees ..... p. 33
- Personal privilege, ESSB 4251 ..... p. 1029
- Appointed interim committee member, legislative transportation committee ..... p. 2428
- Appointed interim committee member, senate oversight committee on fire protection ..... p. 2429

**HARBOR AREAS (See NATURAL RESOURCES, DEPARTMENT OF)****HATFIELD, FORMER SENATOR CHET**

- Moment of silent prayer in memory of ..... p. 2300

**HAYES, PHILLIP S.**

- Member, state board for community college education: GA 7, confirmed. pp. 22, 2305, 2323

**HAYNER, SENATOR JEANNETTE**

- Appointed member, judiciary, rules and ways and means committees ..... p. 34
- Remarks, concerning passage of EHB 1075 ..... p. 433
- Remarks, competition with private enterprise ..... p. 539
- Point of order, scope and object EHB 441 ..... p. 652
- Point of order, whether properly before senate, SSB 3880 ..... p. 931
- Remarks, HJR 27 ..... p. 1117
- Point of order, 2SSB 3624 ..... p. 1169
- Remarks, SB 3182 ..... p. 1614
- Point of order, Rule 28 ..... p. 1617
- Point of inquiry on amendment SB 3090 ..... p. 1646
- Personal privilege, cutoff debate ..... p. 2417
- Remarks, SB 3909 ..... p. 2422
- Appointed interim committee member, organized crime advisory board ..... p. 2428
- Remarks, SB 4279 ..... p. 2435

**HAZARDOUS SUBSTANCES**

- Advisory council on radioactive waste management program: \*SSB 3273, CH 19 E1 (1983)
- Bonds for waste cleanup: HB 717, SHB 717
- Clean up of hazardous material incidents, liable for extraordinary costs: SSB 3740
- Cleanup of waste, bonds authorized: HB 717, SHB 717



**HAZARDOUS SUBSTANCES—cont.**

- Command agency designation optional: SSB 3740
- Cows abandoned on Hanford nuclear reservation, sale: HB 512
- Dangerous waste disposal facilities site standards: HB 771
- Dangerous wastes, regulated, fees: HB 712, \*SHB 712, CH 65 E1 (1983), 2SSB 3722
- Debts, electric utilities, nuclear, debt recovery: HB 846
- Department of ecology, state responsibility: \*SSB 3273, CH 19 E1 (1983)
- Electric energy contracts by cities, cannot commit beyond express dollar amount: \*SHB 865, CH 308 (1983)
- Electric energy contracts by cities, do not commit beyond local purpose: HB 865
- Endrin prohibited: HB 751
- Endrin, 3 year phase out: SB 4079
- Glue, toxic vapors or fumes, category broadened for glue sniffing crime: SB 3117
- Handlers, public disclosure records: HB 669
- Hanford reservation, a National Energy Center: HJM 30
- Hanford, state leased land, long-range plan: SSB 3152
- Hazardous materials incidents, procedures, immunities: HB 505
- Hazardous waste facility siting board: HB 814
- Hazardous wastes, regulated, fees: HB 712, \*SHB 712, CH 65 E1 (1983), 2SSB 3722
- Joint operating agency, default is unlawful: HB 892
- Livestock abandoned on Hanford nuclear reservation, sale: HB 512
- Medical radiation health and safety act: HB 454
- Motor freight carrier law, hazardous materials exempt: HB 819
- Northwest interstate compact on low-level radioactive waste, urging ratification: HJM 7
- Nuclear power plants, terminated, sell: HB 834, SHB 834
- Nuclear waste policy and review board created: \*SSB 3273, CH 19 E1 (1983)
- Nuclear weapons freeze: HJM 3
- Nuclear weapons, mutual and verifiable freeze: SJM 106
- Peace and conflict resolution, national academy establishment requested: HCR 12
- Perpetual care agreement: \*SSB 3273, CH 19 E1 (1983)
- Pesticide application notice to schools and residences: HB 885
- Pesticide dealer license fee increased: HB 118, \*SHB 118, CH 95 (1983)
- Pesticides, authority transferred to DOE: HB 901
- Pesticides, endrin prohibited: HB 751, SB 4079
- Pesticides, endrin, records kept by applicators: HB 648
- Pesticides, records kept by applicators: HB 648
- Radiation and pressure systems safety: HB 731
- Radioactive materials, transfer of duties from DSHS studied: \*SSB 3273, CH 19 E1 (1983)
- Radioactive waste program report by DOE, to governor and legislature: \*SSB 3273, CH 19 E1 (1983)
- Radiologic technology board of examiners created: HB 454
- Radiologist licensing: HB 454
- Site standards for dangerous wastes: HB 771
- Transportation, common and contract carrier law applies to private carriers: HB 33
- Transportation, limitation by state patrol: \*SSB 3026, CH 205 (1983)
- Uranium and thorium, permit process: HB 731
- Violations, penalties increased to \$10,000 per day: HB 64, \*SHB 64, CH 172 (1983)
- Waste disposal violation, civil action, attorney fees: \*SHB 64, CH 172 (1983)
- Waste management: HB 853, SHB 853, \*SSB 4245, CH 70 E1 (1983)
- Waste priorities: HB 853, SHB 853, \*SSB 4245, CH 70 E1 (1983)
- Waste production, fees: HB 713, \*SHB 712, CH 65 E1 (1983) 2SSB 3722
- Wastes, handler records: HB 669
- Workplace, employer duties: HB 863, SHB 863

**HEALTH CARE AND SERVICES (See also specific types of providers)**

- Advanced life support technicians, labor relations: SHB 435
- Agents, insurance, licensing: HB 667, \*SHB 667, CH 202 (1983)
- Cancer research, excise tax from cigarettes: SB 3309

**HEALTH CARE AND SERVICES—cont.**

- Child abuse, report, police officer takes child into custody: \*SSB 3253, CH 246 (1983)
- Children, newly born, notice to insurer required: HB 139, \*SHB 139, CH 32 E1 (1983)
- Children, statute of limitations against health care providers: HB 483
- Chiropractic coverage by health care service contracts: HB 336, \*SHB 336, CH 286 (1983)
- Chiropractic disciplinary board, sunset termination: HB 493, \*SHB 493, CH 197 (1983)
- Chore services: \*SSB 3308, CH 249 (1983)
- Chore services by volunteers for low-level needs: 2SHB 352
- Chore services, eligibility modified: HB 352, SHB 352, 2SHB 352
- Complaints concerning health care service contractors: \*HB 371, CH 63 (1983)
- Consent, who may consent to health care and how: HB 703
- Cost containment study: SSCR 112
- County health department, contributions by city: HB 713, SHB 713
- Cystic fibrosis, insurance coverage, age limits and dependency exceptions: HB 472
- Drugless healing, sunset termination: HB 493, \*SHB 493, CH 197 (1983)
- Emergency care facilities for minors: HB 829
- Emergency medical technicians, uniformed personnel for collective bargaining: HB 435
- Health board officer appointment, home rule charters: \*SSB 3490, CH 39 E1 (1983)
- Health care providers, payment procedures: HB 880
- Health care providers, statute of limitations for minors: HB 483
- Health care service contractor agent, need to be licensed: HB 667, \*SHB 667, CH 202 (1983)
- Health care service contractor, licensing requirement: HB 139, \*SHB 139, CH 32 E1 (1983)
- Health care service contractor, loans: HB 139, \*SHB 139, CH 32 E1 (1983)
- Health departments, monetary support by benefiting city or town: \*SSB 3490, CH 39 E1 (1983)
- Health maintenance organization, annual financial statement procedures: HB 667, \*SHB 667, CH 202 (1983)
- Health maintenance organization audits: \*HB 371, CH 63 (1983)
- Health maintenance organization, premium tax: HB 199
- Health maintenance organizations, contract approval, annual reports: HB 488, \*SHB 488, CH 106 (1983)
- Health maintenance organizations, general provisions: HB 488, \*SHB 488, CH 106 (1983)
- Health maintenance organizations, professional service corporations, providers may belong: \*HB 305, CH 100 (1983)
- Hearing aid fitting and dispensing: \*HB 198, CH 39 (1983)
- Hemophilia insurance coverage, age limits and dependency exceptions: HB 472
- Home health care services, health insurance plans to cover: \*SSB 3308, CH 249 (1983)
- Hospices, insurance to provide coverage: \*SSB 3308, CH 249 (1983)
- Hot water heater thermostat setback: HB 177, \*SHB 177, CH 178 (1983), SSB 3277
- Insurance coverage, conversion rights: SSB 3741
- Insurance coverage may be paid by laid-off employee: SSB 3741
- Joint committee on financing: SCR 121
- Jurisdiction of insurance commissioner, exceptions: \*SSB 4022, CH 36 (1983)
- Lawsuits, collateral source compensation evidence allowed: HB 381
- Lawsuits, damage agreements to be told to court and jury: HB 380
- Legislative study on health care and preventive medicine: HCR 15
- Long-term care services: HB 395
- Mastectomy, insurance coverage for reconstructive surgery: \*SSB 3197, CH 113 (1983)
- Medical assistant, regulation: HB 594
- Medical disciplinary account created: \*HB 387, CH 71 (1983)

**HEALTH CARE AND SERVICES—cont.**

- Medical radiation health and safety act: HB 454
- Medicare/medicaid reimbursement of facilities conditioned on social security participation: HJM 10
- Mental health insurance coverage by group plans: HB 281
- Midwife advisory committee, sunset termination: HB 493, \*SHB 493, CH 197 (1983)
- Negligence, elements of proof modified: HB 385
- Negligence, lump sum damages, limitations, present value: HB 379
- Negligence, standard of care modified: HB 383, \*SHB 383, CH 149 (1983)
- Occupational therapy practice act enacted: HB 201, SSB 3074
- Physician-patient privilege waived in actions against provider: HB 382
- Podiatry is a health care service for insurance purposes: HB 494, \*SB 3655, CH 154 (1983)
- Port district commissioners, group, term life, or social security: SSB 3079
- Preventive medicine, legislative study: HCR 15
- Professional service corporations, HMO providers may belong: \*HB 305, CH 100 (1983)
- Professions, unregulated, regulation criteria: HB 359, \*SHB 359, CH 168 (1983)
- Public agency insurance is not additional compensation: \*SSB 3079, CH 37 E1 (1983)
- Radiologic technology board of examiners created: HB 454
- Radiologist licensing: HB 454
- Reconstructive surgery, mastectomy: \*SSB 3197, CH 113 (1983)
- Regulation of health professions and occupations act: HB 359, \*SHB 359, CH 168 (1983)
- Reports of abused dependent adults: SB 3060
- Retired state employees included in health care insurance: HB 663
- Sickle cell anemia, insurance coverage, age limits and dependency exceptions: HB 472
- Smoking in public areas restricted: HB 229
- Standard of care modified: HB 384
- Statute of limitations for minors: HB 483
- Wrongful birth or wrongful life suits, prohibiting: HB 178, SHB 178

**HEALTH CARE FACILITIES AUTHORITY**

- Ludwig Lobe, member: GA 91, confirmed ..... pp. 248, 438, 602
- Bonds, fixed or variable rate: \*SSB 3124, CH 210 (1983)
- Financing plan to be adopted by the authority: \*SSB 3124, CH 210 (1983)
- Membership, governor may appoint designee: \*SSB 3124, CH 210 (1983)

**HEALTH MAINTENANCE ORGANIZATIONS (See HEALTH CARE AND SERVICES)****HEALTH, STATE BOARD OF**

- Alcoholism hospital, not a health care facility: \*SSB 3660, CH 41 E1 (1983)
- Board powers and duties: HB 509, SHB 509
- Certain duties transferred to DSHS: HB 509, SHB 509
- Certificate of need review: HB 509, SHB 509
- Public health reform: HB 509, SHB 509
- Sunset termination extended: \*SB 4204, CH 235 (1983)

**HEALTH, STATE COORDINATING COUNCIL**

- Vincent L. Stevens, chairman: GA 96 ..... pp. 438, 704

**HEALTH STUDIOS (See ATHLETICS)****HEATING SERVICES AND DISTRICTS (See ENERGY)****HEDEMAN, KNUT, AMBASSADOR OF NORWAY**

- Addressed senate and awarded certificate by President ..... p. 1000

**HELKE, RICHARD E.**

- Member, state investment board: GA 13 ..... pp. 23, 140, 270

**HEMOPHILIA (See HEALTH CARE AND SERVICES)**

**HEMSTAD, SENATOR DICK**

Appointed member, education, energy and utilities and judiciary committees p. 33

Statement for journal, missed vote, SSB 3074 . . . . . p. 595  
 Point of order, amendment, SHB 336 . . . . . p. 1114  
 Rules committee vote, HJR 27 . . . . . p. 1118  
 Parliamentary inquiry, SSB 3766 . . . . . p. 1431  
 Appointed interim committee member, sentencing guidelines commission p. 2428  
 Remarks, SB 4279 . . . . . p. 2437

**HENNUM, LARS**

Member, state board of pharmacy: GA 97, confirmed . . . . . pp. 490, 705

**HIGH SCHOOL (See SCHOOLS AND SCHOOL DISTRICTS)****HIGHER EDUCATION PERSONNEL BOARD**

Membership, labor and management to be represented: HB 637

**HIGHER EDUCATION (See COLLEGES AND UNIVERSITIES; COMMUNITY COLLEGES specific institutions)****HIGHLINE COMMUNITY COLLEGE DISTRICT 9, BOARD OF TRUSTEES**

Virginia M. Thacker, member: GA 49, confirmed . . . . . pp. 30, 481, 600

**HISTORICAL CONSERVATION**

Archaeology research center, sunset termination repealed: HB 708, SHB 708 \*SB 4088, CH 159 (1983)

Conservation corps established within many agencies: \*2SSB 3624, CH 40 E1 (1983)

Geographic names board established: \*SB 3843, CH 273 (1983)

Heritage council, creation of: HB 81, \*SHB 81, CH 91 (1983)

National history contest: SCR 105

Pantagres theatre restoration efforts commended: HFR 13

UW museum sunset termination: HB 493, \*SHB 493, CH 197 (1983)

Women's history week: HFR 32

**HOME RULE CHARTERS (See COUNTIES)****HOMESTEAD (See REAL PROPERTY)****HOOD CANAL BRIDGE (See TRANSPORTATION, DEPARTMENT OF)****HORNIBROOK, R. E. "TED"**

Member, state jail commission: GA 70, confirmed . . . . . pp. 46, 368, 430

**HORSE RACING COMMISSION**

Warren L. Chinn, member: GA 94, confirmed . . . . . pp. 430, 537, 1996, 1997

Longacres racetrack 50th anniversary: HFR 51

Parimutuel machines, proceeds: \*SSB 4101, CH 228 (1983)

Thoroughbred horse racing industry: HFR 51

Uniform unclaimed property act enacted: \*SHB 179, CH 179 (1983)

**HORSES (See LIVESTOCK)****HORTICULTURE (See AGRICULTURE)****HOSPICES (See HEALTH CARE)****HOSPITALS (See also HEALTH CARE AND SERVICES)**

Abuse of patients in state hospitals, restraining order: HB 346, SHB 346, \*SSB 3660, CH 269 (1983)

Debt limitation, 1 1/2% of taxable property: HB 73

Districts, territory removal procedures: HB 571, SHB 571

Financial responsibility act, DSHS: HB 343

Health maintenance organizations, providers may belong to professional service corporation: HB 305

Involuntary treatment, reimbursement: HB 934

Low-income patients, preference in county facilities: HB 791

Mental health, superintendent qualifications: HB 649

**HOSPITALS—cont.**

Self-insurance authorized for groups of two or more: \*HB 107, CH 174 (1983)  
Trustees, age requirement dropped to 18: HB 90

**HOTEL-MOTEL**

Excise tax, may use to promote hotel-motel industry: HB 225  
Excise tax transferred to cultural arts, stadium, and convention districts: HB 912  
Taxes, B&O, hotel/motel tax, fund convention or trade centers: HB 806, SHB 806  
Transient accommodations, repeals laws except fire marshal rulemaking authority: HB 273

**HOUSING**

Authorities, commercial space allowed: HB 816, SHB 816, \*SSB 3811, CH 225 (1983)  
Authorities, loan capability: HB 816, SHB 816, \*SSB 3811, CH 225 (1983)  
Authorities, partnership agreements and joint ventures allowed: HB 816  
Elderly, public housing, pets allowed: SB 3059  
Financing, state investment board and public pension guarantee fund: HB 267  
First mortgages, housing finance commission: \*2SSB 3245, CH 161 (1983)  
Home loans for veterans: HJR 15  
Hot water heater thermostat setback: HB 177, \*SHB 177, CH 178 (1983), SSB 3277  
Housing finance commission established: HB 254, SHB 254, \*2SSB 3245, CH 161 (1983)  
Investment fund to provide increased mortgage capital: SCR 126  
Model conservation standards for new structures: HB 162, SHB 162  
Rent due, welfare recipient tenant, collection procedures: HB 3  
Sexual orientation, may not discriminate: HB 556  
Shelters, homeless persons, exempt from taxation: HB 656, SB 3438  
Single family residences, separate living quarters for relatives: SB 3777  
State building code act: HB 557  
Transient accommodations, repeals laws except fire marshal rulemaking authority: HB 273  
Uninhabitable dwellings, enforcement procedures: HB 939  
Veteran's home loan financing program established: HB 186

**HUBBARD, VAUGHN**

Member, state transportation commission:  
GA 36, confirmed ..... pp. 27, 502, 1996, 2002

**HUGHES, JANE G.**

Member, board of trustees for Peninsula community  
college district no. 1: GA 41, confirmed ..... pp. 28, 480, 598

**HUGHES, SENATOR JERRY M.**

Appointed member, education, judiciary,  
parks and ecology and ways and means committees ..... p. 33  
Introduced Irish singer, Patrick Woods ..... p. 644  
Remarks, SSB 3539 ..... p. 908  
Remarks, conference report SSB 4245 ..... p. 2293  
Appointed member interim committee, organized crime advisory board p. 2428

**HUMAN RIGHTS COMMISSION (See also DISCRIMINATION)**

Darlene C. McHenry, member: GA 68, confirmed ..... pp. 46, 1304  
Age discrimination, increased to 70 years: \*HB 555, CH 293 (1983)  
Commission references corrected: \*HB 555, CH 293 (1983)  
Sexual orientation, may not discriminate: HB 556  
Unfair practices damage limits: \*HB 555, CH 293 (1983)

**HUNTING (See GAME, DEPARTMENT OF)****HURLEY, SENATOR MARGARET**

Nominated Sergeant at Arms, Ole Scarpelli ..... p. 7  
Appointed member, energy and utilities, parks  
and ecology and rules committees ..... p. 34  
Personal privilege, ESB 4079 ..... p. 839  
Point of order, SB 4079 ..... p. 826  
Appointed interim committee member, trade fairs advisory commission . p. 2428

**HYDRAULIC PROJECTS** (See WATER)

**HYDROELECTRIC** (See ENERGY)

**ICE SKATING** (See SPORTS)

**IDAHO**

Higher education tuition reciprocity: HB 306, SHB 306, \*SB 3492, CH 166 (1983)

Joint committee for Washington, Oregon, Idaho mutual concerns: HCR 16

Oregon, Washington, meetings for mutual concerns: HFR 40

**IMMIGRATION AND NATURALIZATION**

Deportation, guilty plea consequences must be explained: HB 522, \*SHB 522, CH 199 (1983)

**IMMUNITY**

Emergency services certification procedure: HB 855, \*SHB 855, CH 112 (1983)

Faculty peer review committees: HB 915, SHB 915

Fires, fire safety director and staff, good faith acts: HB 91, SSB 3057

Food distribution by persons or organization, not liable for condition of food: \*SSB 3068, CH 241 (1983)

Hazardous materials incidents, good faith assistance: HB 505

Pilots, limitation of liability: SSB 3133

PUD commissioner immunity: HB 898

WPPSS decisions of participants, immunity: \*HB 1094, CH 48 E1 (1983)

**IMPROVEMENT DISTRICTS** (See LOCAL IMPROVEMENT DISTRICTS)

**INCEST** (See CRIMES)

**INCOME TAX** (See TAXES - INCOME)

**INDEBTEDNESS** (See DEBTS)

**INDECENT LIBERTIES** (See CRIMES)

**INDIANS** (See NATIVE AMERICANS)

**INDUSTRIAL INSURANCE** (See LABOR AND INDUSTRIES, DEPARTMENT OF)

**INDUSTRY** (See CONTRACTORS; ECONOMIC RECOVERY; WORK)

**INHERITANCE TAX** (See TAXES - INHERITANCE)

**INITIATIVE AND REFERENDUM** (See also CONSTITUTIONAL AMENDMENTS)

Attorney general review of initiatives if petitioner requests: HB 429

Energy financing voter approval act, repealed: HB 810

Fiscal impact statements required: HB 920

Fish enhancement general obligation bonds: HB 965

Initiative reform act of 1983: HJR 39

Review or amendments, prohibition time extended: HJR 36

**INSANITY** (See CRIMES; MENTAL HEALTH)

**INSURANCE** (See also LABOR AND INDUSTRIES)

Acquisitions of domestic companies, approvals of offers: HB 866, \*SSB 3164, CH 46 (1983)

Adult offender community service insurance fund: HB 417

Agents, brokers, solicitors, adjusters, separate B&O tax rate: HB 660

Agents, brokers, solicitors, tax rate modified: SHB 52

Agents, health care service contractor, licensing: HB 667, \*SHB 667, CH 202 (1983)

Amusement rides, coverage required: SSB 3003

Annual statement to be verified by the insurer's officers: \*SB 4021, CH 85 (1983)

Automobile, antique vehicles, rate limits: SSB 3694

Automobile, coverage required for liability, property destruction, bodily injury and death: HB 103

Automobile, financial responsibility, owner and household excluded: HB 813

Automobile, identification cards required: HB 103

**INSURANCE—cont.**

- Automobile, licensed insurers, report loss and expense experiences: HB 668, SSB 4092
- Automobile, mandatory liability: HB 119
- Automobile, phantom vehicles: \*HB 203, CH 182 (1983)
- Automobile, state to underwrite, damage limits set: HB 568
- Automobile, underinsured, coverage provisions modified: \*HB 203, CH 182 (1983)
- Automobile, uninsured motorists, fund established for victims: HB 636
- Brokers, agents, solicitors, adjusters, separate tax rate: HB 660
- Carnival ride operators to possess liability insurance: HB 517
- Casualty insurance, rates must not be excessive, inadequate, or discriminatory: HB 139, \*SHB 139, CH 32 E1 (1983)
- Casualty, licensed insurers, report loss and expense experiences: HB 668, SSB 4092
- Children, newly born, notice to insurer required: HB 139, \*SHB 139, CH 32 E1 (1983)
- Chiropractic coverage by health care service contracts: HB 336, \*SHB 336, CH 286 (1983)
- Chore services: \*SSB 3308, CH 249 (1983)
- Commission merchant bonds: HB 457
- Contractor bonds, security deposit, cash deposit: HB 862, SHB 862
- Conversion rights: SSB 3741
- Court bonds, writs, not required of political subdivisions: HB 752
- Credit life insurance, group policy limitations: SB 4018
- Creditor claims against deceased person, 4 month filing period: \*HB 643, CH 201 (1983)
- Cystic fibrosis, insurance coverage, age limits and dependency exceptions: HB 472
- Domestic companies, acquisition: SSB 3164
- Domestic stock insurer reorganization: HB 139, \*SHB 139, CH 32 E1 (1983)
- Fire insurance premium tax: HB 641
- Fire protection board created: HB 447
- Guaranty associations, insurance premium tax credits for assessments eliminated: HB 678
- Hay and straw dealer bonds: HB 457
- Health care, conversion rights: SSB 3741
- Health care, coverage may be paid by laid-off employee: SSB 3741
- Health care coverage of chiropractic services: HB 336, \*SHB 336, CH 286 (1983)
- Health care is the insurance commissioner's jurisdiction, exceptions: \*SSB 4022, CH 36 (1983)
- Health care service contract, commissioner to investigate complaints: \*HB 371, CH 63 (1983)
- Health care service contractor agents, licensing: HB 667, \*SHB 667, CH 202 (1983)
- Health care service contractor, licensing requirement: HB 139, \*SHB 139, CH 32 E1 (1983)
- Health maintenance organization audits: \*HB 371, CH 63 (1983)
- Health maintenance organization, premium tax: HB 199
- Hemophilia, insurance coverage, age limits and dependency exceptions: HB 472
- Holding companies: HB 866, \*SSB 3164, CH 46 (1983)
- Home health care services, health insurance plans to cover: \*SSB 3308, CH 249 (1983)
- Hospices, insurance to provide coverage: \*SSB 3308, CH 249 (1983)
- Hospitals, self-insurance authorized for groups of two or more: \*HB 107, CH 174 (1983)
- Insurance commissioner salary increase: HB 50, SHB 50
- Laid-off employees may continue health coverage by paying themselves: SSB 3741
- Life, credit, group policy limitations: SB 4018
- Life, designated beneficiaries, "insured" for consumer protection suits: HB 507
- Life, 62 year old policyholders, information: HB 140
- Local government risk exposure studies funding: HB 531

**INSURANCE—cont.**

- Malpractice, licensed insurers, report loss and expense experiences: HB 668, SSB 4092
- Mandatory renewal of certain policies, exceptions: HB 139, \*SHB 139, CH 32 E1 (1983)
- Mastectomy, coverage for reconstructive surgery: \*SSB 3197, CH 113 (1983)
- Mental health coverage by group health care: HB 281
- Mental health optional coverage by group contracts: \*SSB 3645, CH 35 (1983)
- Pesticide bond increased: HB 118, \*SHB 118, CH 95 (1983)
- Pilots, limitation of liability: SSB 3133
- Podiatry is a health care service for insurance purposes: HB 494, \*SB 3655, CH 154 (1983)
- Premium tax, additional tax, expiration date removed: HB 52
- Property, licensed insurers, report loss and expense experiences: HB 668, SSB 4092
- Public agency insurance is not additional compensation: \*SSB 3079, CH 37 E1 (1983)
- Rate and form filing fee: HB 141
- Rates, title insurance included in rates provisions: HB 783
- Retired state employees included in health care insurance: HB 663
- Schools, self-insurance authorized for groups of two or more: \*HB 107, CH 174 (1983)
- Self-insurance, local government risk exposure studies: HB 531
- Sexual orientation, may not discriminate: HB 556
- Sickle cell anemia, insurance coverage, age limits and dependency exceptions: HB 472
- State employees, self-funding: HB 620, SHB 620
- Surplus line broker tax delinquency, penalties: HB 139, \*SHB 139, CH 32 E1 (1983)
- Title insurance, general rate provisions apply: HB 783
- Uniform unclaimed property act enacted: HB 179, \*SHB 179, CH 179 (1983)
- Water district officials, health care, or insurance coverage: SSB 3079

**INTERAGENCY COUNCIL FOR RECREATION (See PARKS AND RECREATION)****INTERSTATE TRANSPORTATION (See COMMON CARRIERS; UTILITIES AND TRANSPORTATION COMMISSION)****INVESTMENT, STATE BOARD**

- Richard E. Helke, member: GA 13 . . . . . pp. 23, 140, 270
- Robert D. Panther, member: GA 89 . . . . . p. 183

**INVESTMENTS AND SECURITIES**

- Cities, regulated: HB 547, \*SHB 547, CH 66 (1983)
- Small business investment authority: HB 592

**IRAN**

- Persecution of Bahai faith condemned: HFR 99

**IRRIGATION AND IRRIGATION DISTRICTS**

- Board meetings, records: \*SSB 3630, CH 262 (1983)
- Directors, salaries and fees not subject to electors review: SSB 3868
- East Selah reregulating reservoir: \*HB 595, CH 18 E1 (1983)
- Elections, polling places: SSB 3868
- Hydroelectric development: \*SSB 3511, CH 47 (1983)
- Lighting of public streets authorized: SSB 3868
- Warrants for claims to be certified by auditor: HB 374
- WPPSS decisions of participants, immunity: \*HB 1094, CH 48 E1 (1983)

**JACKSON, SENATOR HENRY M.**

- Resolution . . . . . p. 2438
- Moment of silent prayer . . . . . p. 2439

**JAIL COMMISSION, STATE**

- Dan Boone, member: GA 14, confirmed . . . . . pp. 23, 195, 273
- Larry V. Erickson, member: GA 15, confirmed . . . . . pp. 24, 195, 274
- David S. McEachran, member: GA 16, confirmed . . . . . pp. 24, 195, 296



**JAIL COMMISSION, STATE—cont.**

- Henry Beauchamp, member: GA 69, confirmed ..... pp. 46, 195, 274  
 R. E. "Ted" Hornibrook, member: GA 70, confirmed ..... pp. 46, 368, 430

**JAILS (See also CORRECTIONS)**

- Body/strip searches: HB 645, \*SSB 3817, CH 42 E1 (1983)  
 Choke holds: SSB 3766  
 Construction and improvements, general obligation bond amount increased: \*HB 588, CH 63 E1 (1983), SSB 3539  
 Drunk drivers special detention facilities: \*SHB 289, CH 165 (1983), HB 367, SSB 3107  
 Good behavior sentence reduction: \*SB 4082, CH 276 (1983)  
 Judiciary's jurisdiction over construction removed: HJM 25  
 Law enforcement service districts authorized: HB 560, HB 673  
 Reimbursement to local government, housing state prisoners: HB 926  
 Work release programs: HB 572

**JARVIS, CHERRY L.**

- Member, board of trustees Shoreline community college district no. 7: GA 47, confirmed ..... pp. 29, 481, 600

**JEFFERSON COUNTY**

- Flooding disaster areas, asking President to give federal assistance: HJM 9  
 Olympic county created: HB 372, SB 3264

**JESSUP, JOHN H. JR.**

- Member, interagency committee for outdoor recreation: GA 12, confirmed ..... pp. 23, 125, 144

**JOBS (See ECONOMIC RECOVERY; WORK)****JOHNSON, GEORGE W.**

- Member, board of prison terms and paroles: GA 26, confirmed ..... pp. 26, 106, 508, 1996, 1999

**JOHN WAYNE TRAIL (See PARKS AND RECREATION)****JOINT MEMORIALS**

- Balanced federal budget requested: HJM 8  
 Boats, undocumented, limit exemptions: HJM 21  
 Boldt decision: SJM 120  
 China, mutual bilateral elimination of trade barriers: SSJM 112  
 Civil defense funding for nuclear attack opposed: HJM 5  
 Civilian conservation corps called for: HJM 15  
 Columbia river gorge, refrain from imposing federal control: HJM 18  
 Economic equity act, equality for women: HJM 16  
 Educational opportunities for military personnel and dependents: HJM 24  
 Election returns, Congress to regulate: HJM 29  
 Enterprise zone act, passage requested: HJM 6  
 ERA passage urged: HJM 17  
 Export import bank funding: HJM 19, SHJM 19  
 Federal property, benefit from local services, reimburse counties: HJM 2  
 Flooding disaster areas, asking President to give federal assistance: HJM 9  
 Grand Coulee dam celebration, Reagan invited: HJM 12  
 Hanford reservation, a National Energy Center: HJM 30  
 Health care facilities medicare reimbursement conditioned on social security participation: HJM 10  
 HJM 16, exempted from applicable cutoff date: SCR 124  
 Income tax on interest and dividends withholding repeal requested: HJM 13  
 Jail and corrections construction jurisdiction removed: HJM 25  
 Japanese war reparations passage of proposed legislation urged: HJM 23  
 Job legislation requested: HJM 27  
 MIA return: HJM 31  
 Northwest interstate compact on low-level radioactive waste, urging ratification: HJM 7  
 Nuclear weapons freeze: HJM 3

**JOINT MEMORIALS—cont.**

- Nuclear weapons, mutual and verifiable freeze: SJM 106
- Peace through strength: HJM 26
- Protectionist trade measures, their end petitioned: HJM 14
- Public television, matching local funds eliminated: SJM 118
- Retail sales on federal military bases, eliminate tax exemption: HJM 1
- Salmon interception treaty, reject: HJM 20
- Savings account, 10% interest withheld, eliminate: SJM 104
- Small hydro, authority delegated to states: HJM 4
- Steelhead declared a national game fish: HJM 32
- Susan B. Anthony, a national holiday: HJM 28
- Worker impact policy: HJM 22
- WPPSS financial resolution called for: HJM 11

**JOINT OPERATING AGENCY (see also WPPSS)**

- Board authority expanded, ratification of annual project, administrative budgets, bond sales: HB 631, SHB 631
- Bond default, unlawful: HB 892
- Electric energy contracts by cities, cannot commit beyond express dollar amount: \*SHB 865, CH 308 (1983)
- Electric energy contracts by cities, do not commit beyond local purpose: HB 865
- Open public meeting procedures: SHB 631, SSB 3266
- Statutory changes, investigate beneficial: HFR 91
- Terminated plants must be sold: HB 834, SHB 834

**JOINT RESOLUTIONS (See CONSTITUTIONAL AMENDMENTS)****JOINT SESSIONS**

- State of state message ..... p. 34
- Memorial services ..... p. 382
- WPPSS message ..... p. 1807

**JONES, EDYRN H.**

- Withdrawn GA ..... p. 47

**JONES, SENATOR JOHN D.**

- Oath of office ..... p. 2
- Second nomination of Sid Snyder as Secretary of the Senate ..... p. 6
- Appointed member financial institutions, rules and state government committees ..... p. 34
- Parliamentary inquiry, oral amendments ..... p. 613
- Parliamentary inquiry, closing debate ..... p. 636
- Personal privilege, calendar ..... p. 797
- Remarks, rules committee ..... p. 1121
- Parliamentary inquiry, 3-minute rule ..... p. 1609
- Personal privilege, recognizing honored guests ..... p. 1735
- Appointed interim committee member LEAP and trade fairs advisory commission ..... p. 2428

**JONES, RONALD S.**

- Member, state gambling commission: GA 108 ..... p. 901

**JOURNALISTS (See NEWS)****JUDGES (See also COURTS)**

- Courts of limited jurisdiction, full-time judges defined: HB 463, \*SHB 463, CH 195 (1983)
- District court judge, majority at primary, unopposed at general election: HB 30
- Drunk driving, enhanced enforcement judicial districts: \*SHB 289, CH 165 (1983), HB 341
- Election of superior court judges, provision repealed: HJR 11
- Full time, definition by salary: SB 3143
- Jail and corrections construction jurisdiction removed: HJM 25
- Judicial council, sunset termination: HB 493, \*SHB 493, CH 197 (1983)
- Judiciary education account: \*HB 471, CH 9 E1 (1983)

**JUDGES—cont.**

- Justice of peace, reference in marriage law removed: \*HB 284, CH 186 (1983), SB 3424
- National guard membership allowed: \*SB 3393, CH 218 (1983)
- Public retirement, \$.67 increase for each year of creditable service: HB 51
- Retirement, partial: SSB 3226
- Salaries increased: HB 515, SHB 515
- Superior court judge election provision repealed: HJR 11
- Superior court judges salary increase: HB 50

**JURY DUTY (See COURTS)****JUSTICE, DAVID**

- Member, board of trustees Walla Walla community college district no. 20: GA 85 ..... pp. 152, 2306

**JUSTICES OF THE PEACE (See JUDGES)****JUVENILES (See CHILDREN; CRIMES)****KEEFE, THOMAS PATRICK**

- Member, state gambling commission: GA 106 ..... pp. 719, 724

**KELLY, SAMUEL E.**

- Member, board of tax appeals: GA 35, confirmed ..... pp. 27, 140, 274

**KENNY, PHYLLIS, M.**

- Member, corrections standards board: GA 8, confirmed ..... pp. 22, 106, 507, 1996, 1998

**KHAN, THE HONOURABLE KHALID AMIR**

- Former Pakistani legislator introduced and addressed senate ..... p. 465

**KING COUNTY**

- Community economic revitalization board loan limitations: HB 245, SHB 245, \*2SHB 245, CH 60 E1 (1983)
- High technology in south Puget Sound: HB 565, SHB 565
- Sports council, 50 year anniversary: HFR 35

**KISKADDON, SENATOR BILL**

- Appointed member education, parks and ecology and social and health services committees ..... p. 33
- Introduced Pakistani legislator ..... p. 465
- Remarks, vote on HJR 27 ..... p. 1118
- Parliamentary inquiry, rule 50 ..... p. 1659

**KITSAP COUNTY**

- High technology in south Puget Sound: HB 565, SHB 565

**KNOBLAUCH, FORMER SENATOR REUBEN**

- Introduced and addressed senate ..... p. 1828

**KORTEN, MARDITH A.**

- Member, board of trustees for Lower Columbia community college district no. 13: GA 79, confirmed ..... pp. 147, 2283, 2284

**KRUG, MARY ELLEN**

- Member, public employment relations commission: GA 27, confirmed ..... pp. 26, 487, 1996, 2000

**KUNEY, MAX J. (JEFF)**

- Member, board of trustees for Spokane community college district no. 17: GA 57 ..... p. 31

**KUSLER, BARBARA L.**

- Member, board of trustees for Everett community college district no. 5: GA 45, confirmed ..... pp. 29, 480, 599

**LABOR AND INDUSTRIES, DEPARTMENT OF**

- Amusement rides, regulation by permits and inspections: SSB 3003

**LABOR AND INDUSTRIES, DEPARTMENT OF—cont.**

Antique boiler regulations: HB 739

Apprenticeships, removing regulation of agreements and registration fees: \*HB 59, CH 90 (1983)

Boilers run strictly for public exhibition: HB 739

Employment stabilization, employers give one year notice prior to layoffs: HB 694

Hazardous substances, employer duties: HB 863, SHB 863

Industrial accidents, personal property damaged, claims: \*HB 817, CH 111 (1983)

Industrial insurance, adjustments for death or total disability: \*HB 765, CH 203 (1983)

Industrial insurance, all persons, same compensation schedule: HB 722

Industrial insurance coverage, hand harvester of berries excluded: HB 257

Industrial insurance for churches revised: HB 808

Industrial insurance group plans, dividend and premium discount procedure: HB 872

Industrial insurance, interstate and certain intrastate traffic: \*HB 23, CH 170 (1983)

Industrial insurance, musicians and entertainers, exempt: HB 337, \*SSB 3480, CH 252 (1983)

Industrial insurance, self-insurance eliminated: HB 320

Injured workers, lay-off, suspend, discharge, limitations: HB 724

Injury resulting from employer violations, exemplary damage: HB 729

Injury resulting from employer violations, recovery shared: HB 729

Interim committee on public employees collective bargaining, sunset termination: HB 493, \*SHB 493, CH 197 (1983)

Labor management consultants, licensing: HB 759

Olympia area offices consolidation: SCR 133

Overtime, mandatory prohibited: HB 490

Overtime work, conditions of employment: HB 456

Personnel files, employee access provided: HB 446

Radiation and pressure systems safety: HB 731

Self-insurance by groups of hospitals and schools: \*HB 107, CH 174 (1983)

Self-insurance, reinsurance: HB 658

Self-insurers, disciplinary/corrective actions by director: HB 24, \*SHB 24, CH 21 (1983)

Self-insurers, eliminated: HB 320

Self-insurers, may assign accounts as security: \*HB 919, CH 312 (1983)

Self-insurers, may not contract claim handling: HB 904

Self-insurers, workers' compensation end, need an appealable order: HB 893

Self-insurers, workers' compensation, penalty for late payment: HB 622

Smoking in public areas restricted: HB 229

Uranium and thorium, permit process: HB 731

Vocational rehabilitation, date of injury ignored for some rehabilitation and disability compensation: \*HB 102, CH 70 (1983)

Vocational rehabilitation, injured workers, reemployment encouraged: \*HB 25, CH 86 (1983)

Vocational rehabilitation, registration of rehabilitation firms: \*HB 25, CH 86 (1983)

Workers' compensation, accounting of withheld amounts: HB 766

Workers' compensation, adjustments: \*HB 765, CH 203 (1983)

Workers' compensation, all persons, same compensation schedule: HB 722

Workers' compensation, attorney fees and costs, borne proportionately by worker, department, self-insurer: \*SSB 3127, CH 211 (1983)

Workers' compensation award or settlement distribution to department, worker, self-insurer: \*SSB 3127, CH 211 (1983)

Workers' compensation awards to receive interest if appealed successfully: \*HB 683, CH 301 (1983)

Workers' compensation, definition of worker modified for contractors: \*HB 175, CH 97 (1983)

Workers' compensation, enhanced injury, present employer has duties regardless of whether aware of pre-existing condition: SB 3118

Workers' compensation group plans, dividend and premium discount procedure: HB 872

**LABOR AND INDUSTRIES, DEPARTMENT OF—cont.**

- Workers' compensation, hazardous substances or life threatening situation: HB 766
- Workers' compensation, not provided for recipients of higher education financial aid: HB 437
- Workers' compensation, occupational diseases: HB 766
- Workers' compensation, penalty for late payment: HB 622
- Workers' compensation, reinstatement: HB 766
- Workers' compensation, survivor's benefits: HB 766
- Workers' compensation, termination, need an appealable order: HB 893

**LABOR RELATIONS**

- Advanced life support technicians: SHB 435
- Age discrimination, 40 to 70 years, unfair practice to refuse employment: SB 3196
- Cease and desist orders, public employment relations commission authorized: HB 606
- Collective bargaining, agreement enforceable against successor employer: HB 606
- Collective bargaining, applies to uniformed personnel regardless of population: HB 85, SHB 85
- Collective bargaining, emergency medical technicians: HB 435
- Collective bargaining, employer must disclose agreement to successor: HB 606
- Collective bargaining, fire fighters are employees of port for labor purposes: HB 434, \*SHB 434, CH 287 (1983)
- Collective bargaining, higher education: SSB 3042
- Collective bargaining, law enforcement impasse, submit to voters: HB 721
- Collective bargaining, liquor control board employees: HB 664
- Collective bargaining rights of transit employees: SHB 985
- Comparable worth in salary schedules: \*SSB 3248, CH 75 E1 (1983)
- Economic equity act, equality for women: HJM 16
- Emergency medical technicians, uniformed personnel for collective bargaining: HB 435
- Firefighters are employees of port districts for collective bargaining: HB 434, \*SHB 434, CH 287 (1983)
- Frances Perkins recognized for her contributions to labor: HFR 49
- Higher education, collective bargaining and other procedures authorized: SSB 3042
- Hiring policy that does not disproportionately favor management: HB 283
- Labor management consultants, licensing: HB 759
- Labor relations board created, provide labor relations program: HB 651
- Labor-management relations act, avoid industrial strife: HB 782
- Law enforcement collective bargaining impasse, submit to electors: HB 721
- Liquor control board employees, collective bargaining agreements: HB 664
- Minority and women-owned businesses, participation enhanced: HB 163, SHB 163, \*2SSB 3230, CH 120 (1983)
- Personnel board authority given to agencies with exceptions: HB 792
- Plumbers: \*SSB 3054, CH 124 (1983)
- Political committee mandatory contributions, unlawful: HB 123
- Port districts, a public employer of fire fighters for collective bargaining: HB 434, \*SHB 434, CH 287 (1983)
- Public employment relations commission, power increased: HB 792
- Reduction in force may not disproportionately favor management: HB 283
- Sexual orientation, may not discriminate: HB 556
- State agency purchasing, personal service contracts, conditions: HB 405
- State patrol, collective bargaining, not including wages: SHB 1035
- Transit employees, collective bargaining: SHB 985
- Unemployment benefits, labor disputes, exception to disqualification: HB 789
- Unfair labor practice complaint filing time limit, 6 months: \*HB 136, CH 58 (1983)
- Unfair labor practices described: HB 782
- Women-owned businesses, participation enhanced: HB 163, SHB 163, \*2SSB 3230, CH 120 (1983)

**LAETRILE** (See DRUGS)**LAMBERT, LENORE**

Member, state lottery commission: GA 19 ..... pp. 24, 449

**LAND** (See REAL PROPERTY)**LAND USE PLANNING**

Agricultural district formation authorized: HB 690  
 Community corporation, land use authority: HB 879  
 Community rights act of 1983: HB 779  
 Comprehensive plan, hearing notice at least 10 days before: HB 28  
 Comprehensive plan, hearing provisions modified: HB 165  
 Conservation easements authorized: SB 3310  
 Conservation futures, certain holdings exempt from ad valorem taxation: HB 692  
 Conservation status, no transfer tax penalty: \*HB 256, CH 41 (1983)  
 Enterprise zone act, local zoning displaced: HB 115  
 Filing fee, \$15, surveys, subdivision plats, short plats, condominium surveys, plats,  
 or maps: \*SSB 3812, CH 272 (1983)  
 Forest lands, DNR to consider local plans before selling or purchasing: HB 181,  
 SHB 181  
 Hearings, advance notice to affected property owners: HB 28  
 Hearings, newspaper notice at least twenty days before: HB 28  
 Hearings, notice at least 10 days before by newspaper: 2SSB 3019  
 Hearings, seller to forward notice: 2SSB 3019  
 Incorporation proceeding, 120 day extension authorized: \*SB 3084, CH 76 (1983)  
 Litigation, award of costs to prevailing party: HB 27  
 Master permit process, environmental coordination: HB 165  
 Neighborhood protection: HB 779  
 Nisqually river basin: HCR 14  
 Noise levels, off-road vehicles, no standards in high-use parks: HB 562  
 Plat, approval or disapproval, who has standing to challenge decision: HB 26,  
 \*SB 3018, CH 121 (1983)  
 Plat approval, state law not exclusive for time periods or conditions: HB 26, \*SB  
 3018, CH 121 (1983)  
 Plat approval, 3 year time period to be applied retroactively: HB 26, \*SB 3018,  
 CH 121 (1983)  
 Plats, filing fee, \$15: \*SSB 3812, CH 272 (1983)  
 Port districts, exempt from prohibition against short subdivisions: SB 3586  
 Railroad rights of way, zoned exclusively for transportation purposes: HB 376  
 Rezones, hearing and time periods altered: HB 165  
 Single family residences, separate living quarters for relatives: SB 3777  
 State building code act: HB 557  
 Street improvements, latecomer fees: \*SSB 3094, CH 126 (1983)  
 Street vacation, salt or fresh water in proximity: HB 820  
 Yakima river basin hydroelectric development: SSB 3873

**LANDLORD TENANT**

Abandoned premises, landlord's remedies: HB 339, HB 499  
 Apartment sales, notice procedures: HB 860  
 Arbitration for landlord tenant disputes: HB 499  
 Checklist of conditions: HB 499  
 Deposit procedures, checklist required: \*SSB 3640, CH 264 (1983)  
 Deposits, if required, lease or rental agreement to be in writing: HB 499  
 Deposits, refund procedures: HB 499  
 Eviction procedures: \*SSB 3640, CH 264 (1983)  
 Hot water heater thermostat setback: HB 177, \*SHB 177, CH 178 (1983), SSB 3277  
 Leasehold excise tax, contract rent redefined: HB 770, HB 878  
 Notice provisions, nonpayment of rent, court registry: \*SSB 3640, CH 264 (1983)  
 Rent assistance by landlords receiving recipients money directly: HB 205, 2SSB  
 3104  
 Rent default, seizure of personal property: \*SSB 3640, CH 264 (1983)  
 Rent due, welfare recipient tenant, collection procedures: HB 3

**LANDLORD TENANT**—cont.

- Uninhabitable dwellings, enforcement procedures: HB 939
- Unlawful detainer, criminal penalties: \*SSB 3640, CH 264 (1983)

**LANDMARKS** (See HISTORICAL CONSERVATION)**LAW ENFORCEMENT** (See also STATE PATROL)

- Body/strip searches: HB 645, \*SSB 3817, CH 42 E1 (1983)
- Child abuse, police officer to take child into custody: \*SSB 3253, CH 246 (1983)
- Choke holds: SSB 3766
- Collective bargaining, applies to uniformed personnel regardless of population: HB 85, SHB 85
- Collective bargaining impasse, submit to electors: HB 721
- Collective bargaining, impasse submitted to public employment relations commission: HB 721
- Concealed weapons license fees, deposited in criminal justice training account: HB 453, SHB 453
- County law enforcement service districts authorized: HB 560, HB 673
- Death investigations council: \*2SSB 3272, CH 16 E1 (1983)
- Dental identification system established: HB 408, \*2SSB 3272, CH 16 E1 (1983)
- Disabled parking, unauthorized car impounded: HB 418
- Drug enforcement and investigation board created: HB 629
- Execution and redemption, personal property, real property: SSB 4111
- Federal property, benefit from local services, reimburse counties: HJM 2
- Hazardous waste handlers public disclosure records: HB 669
- Law enforcement services council created, oversee toxicology lab: HB 408
- LEOFF, children tuition benefit age lowered: HB 856, SHB 856
- LEOFF, compensation modified employer and state cost sharing: HB 884
- LEOFF, disability determinations, not in line of duty: HB 884
- LEOFF system to be reviewed: SSB 3226
- Lie detector tests can not be a condition of employment: HB 432, HB 449
- Lottery violations, investigations, and prosecution: HB 438
- Missing person procedures: HB 408
- Notice to law enforcement, victims, witnesses, 30 days prior to inmate release, furlough, or escape: HB 307, SHB 307
- Peace officer act of 1983: HB 718
- Police chief excluded from civil service: HB 577
- Psychologist fees paid for by retirement system: SSB 3226
- Sheriffs and police chiefs association, concealed weapon license fees: HB 453, SHB 453
- State facilities, benefit from local services, reimburse county or city: HB 5
- Uniformed personnel, arbitration panel performs a state function and so it is a state agency: HB 85, SHB 85
- Washington peace officer act of 1983: HB 718

**LAWSUITS** (See ATTORNEYS; CIVIL ACTIONS AND PROCEDURES)**LAWYERS** (See ATTORNEYS)**LAXTON, H. DEAN, D.D.S.**

- Member, board of trustees for Big Bend community college district no. 18: GA 58 ..... p. 32

**LEASES** (See specific subject)**LeCOCQ, IRWIN J.**

- Member, board of trustees for western Washington university: GA 39 ..... pp. 28, 479, 597, 1996

**LEE, SENATOR ELEANOR**

- Oath of office ..... p. 2
- Appointed member education, parks and ecology and ways and means committees ..... p. 33
- Point of order, SSB 3206 ..... p. 881
- Point of order, scope and object SB 3850 ..... p. 1811
- Point of order, amendment SB 3909 ..... p. 2416

**LEE, SENATOR ELEANOR—cont.**

Remarks, president's ruling ..... p. 2416  
 Statement for journal, SB 3909 ..... p. 2419

**LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM (See LEGISLATURE, subtopic LEAP)****LEGISLATIVE INFORMATION SERVICE (See LEGISLATURE, subtopic LIS)****LEGISLATURE (See also CONCURRENT RESOLUTIONS; FLOOR RESOLUTIONS)**

Adjournment, three day periods until majority party acts on budget: HFR 76  
 Administrative aides of house recognized: HFR 97  
 Auditors office, peer review by LBC: SHB 635  
 Bearded caucus: HFR 100  
 Building rent exemption removed: HB 406, SHB 406  
 Capital improvement bonds authorized: HB 57, \*SHB 57, CH 54 E1 (1983)  
 Comparable worth, joint committee established: HCR 25, SCR 131  
 Cost control task force: HB 740, \*SHB 740, CH 26 E1 (1983)  
 Cutoff dates established: SCR 103  
 Education funding, tax levy limit modified: HJR 33  
 Education, legislatures duty to fund sufficiently: HJR 33  
 Gender-neutral language in all rules and publications: HB 321, \*SB 3613, CH 20 (1983)  
 General administration control of buildings removed: SSB 3622  
 Geothermal account, appropriation conditions: SHB 71  
 Geothermal account, not subject to appropriation: HB 71  
 Gifts, must report those received over \$250: HB 88  
 Government organization, legislative advisory committee: SSCR 113  
 Gubernatorial appointments, need confirmation by next regular session: SB 3507  
 Health care and preventive medicine studied: HCR 15  
 Health care cost containment study: SSCR 112  
 Honorariums, must report those received over \$250: HB 88  
 House of representatives group picture: HFR 12  
 House of representatives terms increased to 4 years: HJR 21, HJR 22  
 Inquiry powers modified: \*SSB 3516, CH 52 (1983)  
 Interim period and necessary work provided for: HFR 93  
 International trade, tourism, and investment, joint select legislative committee: SCR 127  
 Jake the barber recognized: HFR 92  
 Joint ad hoc committee on community college financing and governance: SCR 116  
 Joint administrative rules review committee, ad hoc members: HB 908  
 Joint administrative rules review committee, terms revised, vacancies to be filled: \*SB 3993, CH 53 (1983)  
 Joint committee on education abolished: \*SSB 3516, CH 52 (1983)  
 Joint committee on energy and utilities abolished: \*SSB 3516, CH 52 (1983)  
 Joint committee on financial institutions membership modified: SHB 996  
 Joint committee on higher education abolished: \*SSB 3516, CH 52 (1983)  
 Joint committee on legislative facilities created: SSB 3622  
 Joint committee on urban area government abolished: \*SSB 3516, CH 52 (1983)  
 Joint councils, certain abolished: \*SSB 3516, CH 52 (1983)  
 Joint rules adopted: HCR 11  
 Legislative council abolished: \*SSB 3516, CH 52 (1983)  
 Measures returned to their house of origin: HCR 28  
 Memorial services for members who have passed away: HCR 9  
 Modifying the 12th and 13th districts: HB 243  
 Money, must report honorariums received over \$250: HB 88  
 Mother's day, first Sunday following sine die: HFR 79  
 Printing needs of state agencies studied: HB 378  
 Purchasing delegated to general administration: HB 377  
 Redistricting act enacted: \*SSB 3112, CH 16 (1983)



**LEGISLATURE—cont.**

- Redistricting, commission established: HB 14, HB 20, \*SHB 20, CH 6 (1983), HB 38, HJR 3, HJR 7, HJR 8, \*SSB 3112, CH 16 (1983), SSJR 103
- Redistricting, congressional district boundaries specified: HB 12, HB 13, HB 18
- Redistricting in accordance with SHB 20: \*SHB 1038, CH 17 (1983)
- Reorganization of executive branch by governor: HJR 13
- Salary increase: HB 50, SHB 50
- School transportation budget allocation formula: HB 296, \*SHB 296, CH 61 E1 (1983)
- Science and technology, joint ad hoc committee: HCR 3
- Second extraordinary session, 4 bills to consider: HCR 30
- Senators, house of representatives, longer and staggered terms: HJR 17
- Senators, house of representatives, 6 and 4 year terms respectively: HJR 21
- Sentencing guidelines commission voting membership, includes legislators: HB 298, \*SB 3416, CH 163 (1983)
- Sine die, all unfinished bills to house of origin: HCR 20
- Sine die for extra session, message to senate: HFR 94
- Sine die of extraordinary session: HCR 29
- Sine die, regular session: HCR 19
- Technology, joint ad hoc committee on science and technology: SCR 101
- Terms, longer, staggered: HJR 17
- Torts of state, judgment forwarded to ways and means: HB 823
- Transportation topics assigned to transportation committees: SCR 130
- Unicameral legislature established: HJR 9
- WPPSS, joint session: HCR 26

**LeMASTER, DENNIS C.**

- Member, forest practices appeals board:  
GA 101, confirmed ..... pp. 580, 995, 1996, 2097

**LIBRARIES**

- Board for certification of librarians created: HB 169
- County assessor to review levies for correctness: HB 698, \*SSB 3522, CH 223 (1983)
- Librarian certification: HB 169
- Library network, sunset termination: HB 493, \*SHB 493, CH 197 (1983)
- Tax exemption for purchases, creation, or duplication: HB 363

**LICENSE PLATES (See MOTOR VEHICLES)****LICENSED PRACTICAL NURSES (See NURSES)****LICENSES**

- Age discrimination, 40 to 70 years, unfair practice to refuse licensure: SB 3196
- Aircraft dealer regulations: \*SB 3252, CH 135 (1983)
- Aircraft fuel, weighted average retail sales price redefined: \*SB 3211, CH 49 (1983)
- Anadromous game fish buyers license, may purchase from Indians: HB 233, \*SHB 233, CH 284 (1983)
- Animal technicians, registration and fees: \*HB 357, CH 102 (1983)
- Automobile dealers, unfair practices filing period: HB 142
- Barbering and cosmetology license functions studied: HB 369
- Barbering, sunset termination removed: HB 369, \*SSB 3081, CH 75 (1983)
- Boom loaders, license category created: \*SHB 793, CH 305 (1983)
- Business license center, in charge of SEPA: HB 70
- Caterer's license for serving alcoholic beverages: HB 612
- Consumer credit reporting protections: HB 311, SHB 311
- Cosmetology and barbering license functions studied: HB 369
- Cosmetology and barbering regulated: HB 442
- Cosmetology, apprenticeship training: HB 368, HB 795
- Cosmetology, sunset termination removed: HB 200, HB 368, HB 795, \*SSB 3088, CH 208 (1983)
- Counselors: HB 188
- County legislative authority to set certain fees: SB 3263
- Fees, may be increased or assessed at yearly intervals: SB 3083

**LICENSES—cont.**

Grain dealers: HB 440, SHB 440

Health care service contractor, licensing requirement: HB 139, \*SHB 139, CH 32 E1 (1983)

Health professions account created: \*SHB 359, CH 168 (1983)

Hearing aid fitting and dispensing: \*HB 198, CH 39 (1983)

Hulk haulers, scrap processors, rebuilders regulations revised: \*HB 259, CH 142 (1983)

Labor management consultants: HB 759

Landscape architects, sunset termination: HB 493, \*SHB 493, CH 197 (1983)

Librarian certification: HB 169

Occupational therapy practice act enacted: HB 201, SSB 3074

Pest control consultant license increased: HB 118, \*SHB 118, CH 95 (1983)

Pesticide dealer license fee increased: HB 118, \*SHB 118, CH 95 (1983)

Radiologist licensing: HB 454

Real estate, education course required: HB 22, SHB 22

Safety licensing administration: HB 477

Securities duties transferred to department of financial institutions: HB 676

SEPA, transferred to business license center: HB 70

Small business assistance coordinating council: HB 689, SHB 689

Social work, comprehensive scheme: HB 743

Timeshare regulation: HB 927, \*SB 3188, CH 22 E1 (1983)

Trade names, regulated: SSB 3158

Warehouse licenses: HB 440, SHB 440

**LICENSING, DEPARTMENT OF (See LICENSES)**

John Gonzalez, director: GA 82, confirmed ..... pp. 151, 255, 319

**LIE DETECTORS**

Conditions of employment: HB 449

State patrol, cannot be condition of employment: HB 432

**LIENS (See SECURITY INTERESTS)****LIEUTENANT GOVERNOR (See also PRESIDENT OF THE SENATE; also**

CHERBERG, LIEUTENANT GOVERNOR JOHN A.)

Salary increase: HB 50, SHB 50

Presiding, joint sessions ..... pp. 34, 382, 1807

Nominated Richard A. Stablein as executive director of the data processing authority: GA 104, confirmed ..... p. 647

**LIMITED CASUALTY PROGRAM (See MEDICAL ASSISTANCE)****LIQUOR CONTROL BOARD (See also ALCOHOL)**

Age identification, presentation of proof: HB 319, SHB 319

Beer, class G retailers may buy from other beer retailers: HB 528

Beer, purchase of seized beer: HB 319

Beer to list alcohol content: HB 329

Businesses, financial interest definition modified: HB 675, SB 4145

Caterer's license for serving alcoholic beverages: HB 612

Church proximity consideration removed: \*SSB 3101, CH 160 (1983)

Drinking deterrence and treatment account: HB 870

Drinking deterrence and treatment fund, surcharge supported: HB 227

Employees of board, collective bargaining agreements: HB 664

Furnishing to intoxicated person, misdemeanor: HB 825

International trade expositions and receptions: \*HB 441, CH 13 (1983)

License renewal: HB 319, SHB 319, \*SSB 3101, CH 160 (1983)

Licenses, arrangements with manufacturers or sellers: HB 319, SHB 319

Lottery, authority to perform lottery services: HB 319, SHB 319, \*SSB 3101, CH 160 (1983)

Lottery ticket administrative expense, excess compensation to general fund: HB 835

Lottery tickets, not an administrative expense: \*SSB 3101, CH 160 (1983)

Malt liquor to list alcohol content: HB 329

**LIQUOR CONTROL BOARD—cont.**

- Minor, consumption in home: SB 3521
- Motor vehicle sports facilities, may not bring alcohol in: \*SSB 3101, CH 160 (1983)
- Profits, offset costs of alcohol abuse: HB 937
- Sales, lottery tickets: HB 319, SHB 319, \*SSB 3101, CH 160 (1983)
- Taprooms, exclusion of minors: HB 319, SHB 319
- Wine and beer at retail, board phases out on 6/30/86: SHB 319
- Wine, class J retailers may buy from other wine retailers: HB 528
- Wine delivery regulations: SHB 319
- Wine retailer's license: SHB 319

**LITTER CONTROL**

- Fine increased: \*SSB 4107, CH 277 (1983)
- Litter control and recycling advisory committee: HB 929
- Litter, resource conservation, litter defined: HB 929
- Milk-based or soy-based canned product, not a beverage container: \*SB 3535, CH 257 (1983)
- Model litter control and recycling act: \*SSB 4107, CH 277 (1983)
- Spring clean week: HFR 61

**LIVESTOCK**

- Horses, open consignment sale is not a livestock market: \*HB 653, CH 298 (1983)
- Horses, special open consignment horse sale defined: \*HB 653, CH 298 (1983)
- Impounded on Hanford nuclear reservation, sale: HB 512
- Markets, does not include open consignment horse sale: \*HB 653, CH 298 (1983)
- Markets, exceptions: \*HB 653, CH 298 (1983)
- Theft, hunting license suspended for stealing livestock and trespass: HB 42

**LOBE, LUDWIG**

- Member of health care facilities authority:  
GA 91, confirmed ..... pp. 248, 438, 602

**LOBBYIST**

- Registration of lobbyist and their employers, fees: HB 513

**LOCAL IMPROVEMENT DISTRICTS (See also specific districts)**

- Aquatic plant control programs: \*HB 511, CH 291 (1983)
- Assessments, lien foreclosure: HB 659
- County road improvement district formation alternative: HB 911
- Court bonds, writs, not required of political subdivisions: HB 752
- Formation, hearing procedures modified: HB 392
- Formation procedures: \*HB 753, CH 303 (1983)
- Insurance coverage is not additional compensation: \*SSB 3079, CH 37 E1 (1983)
- Rail districts authorized: \*HB 753, CH 303 (1983)
- Voting rights, land ownership at least 30 days preceding election: SHB 84
- Voting rights, land ownership at least 90 days preceding elections: HB 84

**LOG BOOMS (See NATURAL RESOURCES, DEPARTMENT OF)****LOG PATROL (See NATURAL RESOURCES, DEPARTMENT OF)****LOPOSER, AVERY K.**

- Member, board of trustees for Olympic community college  
district no. 3: GA 84 ..... p. 152

**LOTTERY (See STATE LOTTERY)****LOTTERY COMMISSION, STATE**

- Robert A. Boyd, director: GA 1 ..... pp. 21, 449
- Ralph Danekas, member: GA 17 ..... pp. 24, 449
- Carolyn Patton, member: GA 18 ..... pp. 24, 449
- Lenore Lambert, member: GA 19 ..... pp. 24, 449
- Paul Mack, member: GA 20 ..... pp. 24, 449, 924
- Earl Giant, member: GA 71 ..... pp. 46, 455

**LOWER COLUMBIA COMMUNITY COLLEGE DISTRICT NO. 13, BOARD OF TRUSTEES**

Mardith A. Korten, member: GA 79, confirmed . . . . . pp. 147, 2283, 2284

**LPN'S (See NURSES)****MACK, PAUL**

Member, state lottery commission: GA 20 . . . . . pp. 24, 449, 924

**MAISEL, CYNTHIA**

Member, council for postsecondary education:

GA 23, confirmed . . . . . pp. 25, 2305, 2327

**MAJOR PUBLIC ENERGY PROJECT (See ENERGY FACILITIES AND ENERGY FACILITIES SITE EVALUATION COUNCIL)****MALICIOUS HARASSMENT-PROSECUTION (See CIVIL ACTIONS AND PROCEDURES)****MANNING, THOMAS J.**

Member board of prison terms and paroles:

GA 24, confirmed . . . . . pp. 25, 106, 508, 1996, 1998

**MANTE, GEORGE E.**

Member, board of trustees for Evergreen state college:

GA 38, confirmed . . . . . pp. 28, 479, 598

**MARINE (See BOATS; NAVIGATION; WATER)****MARRIAGE (See FAMILY LAW)****MARTIN LUTHER KING**

Birth day as state and school holiday: HB 69

Dedicate state convention and trade center to: HB 151, HCR 5

**MASTECTOMY (See HEALTH CARE)****MATERIALMEN AND MECHANICS LIENS (See SECURITY INTERESTS)****MATH AND SCIENCE (See COLLEGES; SCHOOLS AND SCHOOL DISTRICTS; TECHNOLOGY)****MEDICAL ASSISTANCE (See also PUBLIC ASSISTANCE)**

Eligibility begins on general assistance certification date: \*SHB 43, CH 43 E1 (1983), HB 524

Health care facilities medicare reimbursement conditioned on social security participation: HJM 10

Limited casualty program, \$500 maximum deduction for medically needy: HB 43

Limited casualty program, \$500 maximum deduction, \$100 minimum: \*SHB 43, CH 43 E1 (1983)

**MEDICAL EXAMINER (See COUNTIES)****MEMORIALS (See JOINT MEMORIALS)****MENTAL HEALTH**

Cognitively impaired adults protected: HB 944

Criminally insane, conditional release, notice to law enforcement chief: HB 9, SHB 9

Criminally insane, conditional release standards: HB 99, \*SHB 99, CH 25 (1983)

Criminally insane, conditional release, tracking system: HB 351

Criminally insane, escape, notice to law enforcement and appropriate persons: \*SSB 3043, CH 122 (1983)

Criminally insane, escape, notify law enforcement officers: SHB 9

Criminally insane, evaluation and courtroom procedure: HB 351

Criminally insane, furlough, notice to law enforcement 48 hours before: \*SSB 3043, CH 122 (1983)

Criminally insane, no statutory right to counsel at evaluation: HB 351

Criminally insane, report availability: HB 476, \*SHB 476, CH 196 (1983)

Criminally insane, treatment records confidential, exceptions: HB 351

**MENTAL HEALTH—cont.**

- Custody, interference with is a gross misdemeanor: SSB 3387
- Disabled parking, mental health providers, conditions: SHB 448
- Evaluation and treatment facilities, regional: HB 934
- Financial responsibility act, DSHS: HB 343
- Guardians, financial statements, filing requirements modified: \*SB 3763, CH 271 (1983)
- Handicapped, utility rates reduced: HB 550
- Health care consent: HB 703
- Hospitals, superintendent qualifications: HB 649
- Inpatient psychiatric services, cost-containment: HB 934
- Insanity defense, replaced with a guilty but ill or insane plea: HB 303
- Insurance, group contracts to cover as an option: \*SSB 3645, CH 35 (1983)
- Insurance, group health care service plan to cover: HB 281
- Involuntary detention, interview, petition, and evaluation procedures: SSB 3181
- Long-term health care, ombudsman program: \*SHB 484, CH 290 (1983)
- Ombudsmen program, long-term health care facilities: HB 484, \*SHB 484, CH 290 (1983)
- Residential school residents, return to community, hearing: HB 634
- School based primary prevention projects: HB 221
- Sexual psychopath, definition of sex offense modified: HB 340

**McCASLIN, SENATOR BOB**

- Appointed member, commerce and labor, local government and state government committees . . . . . p. 33
- Point of inquiry, reading time SB 3182 . . . . . p. 1620
- Appointed interim committee member of municipal research council and legislative advisory committee on state government organization . . . . . p. 2428

**McDERMOTT, SENATOR JAMES A.**

- Oath of office . . . . . p. 2
- Nominated Senator Rasmussen Vice President Pro Tempore . . . . . p. 5
- Appointed member education, parks and ecology, state government and ways and means committees . . . . . p. 33
- Remarks on revenue package EHB 1075 . . . . . p. 431
- Remarks on senior citizen exemptions SSB 3267 . . . . . p. 773
- Point of order SSB 3244 . . . . . p. 1062
- Remarks, vote on HJR 27 . . . . . p. 1121
- Parliamentary inquiry, SB 3182 . . . . . p. 1610
- Point of order, time of day . . . . . p. 1620
- Remarks, ESSB 3780 . . . . . p. 1835
- Remarks, SHB 296 . . . . . p. 1867
- Remarks, CWU cap. project . . . . . p. 1949
- Appointed interim committee member LBC . . . . . p. 2428
- Remarks, SB 4279 . . . . . p. 2437

**McEACHRAN, DAVID S.**

- Member, state jail commission: GA 16, confirmed . . . . . pp. 24, 195, 296

**McGLASHAN, PATRICIA A.**

- Member, board of trustees, Bellevue community college district 8: GA 48, confirmed . . . . . pp. 30, 481, 600

**McHENRY, DARLENE C.**

- Member, human rights commission: GA 68 . . . . . pp. 46, 1304

**McMANUS, SENATOR MIKE**

- Oath of office . . . . . p. 2
- Appointed member commerce and labor, energy and utilities, institutions and social and health services committees . . . . . p. 33
- Statement for journal, changed vote EHB 399 . . . . . p. 1310
- Remarks on SSB 3838 . . . . . p. 1780

**McMANUS, SENATOR MIKE—cont.**

Appointed interim committee member legislative advisory  
committee on state government organization . . . . . p. 2429

**McMILLAN, DEE**

Member, board of trustees, Spokane community college  
district 17: GA 56, confirmed . . . . . pp. 31, 482, 602

**MERCHANDISE COUPONS (See TRADING STAMPS)****METCALF, SENATOR JACK**

Appointed member institutions, natural resources  
rules and ways and means committees . . . . . p. 34  
Parliamentary inquiry majority vote . . . . . p. 237  
Parliamentary inquiry, order of amendments . . . . . p. 533  
Parliamentary inquiry, effect on bills on calendar . . . . . p. 903  
Point of order, cut-off SSB 3608 . . . . . p. 930  
Remarks, HB 106 amendment . . . . . p. 980  
Statement for journal, ESHB 289 . . . . . p. 1027  
Personal privilege, HB 426 apology . . . . . p. 1074  
Parliamentary inquiry, SSB 3248 . . . . . p. 1108  
Parliamentary inquiry, HJR 27 . . . . . p. 1117  
Remarks, rules vote, HJR 27 . . . . . p. 1119  
Point of inquiry, final passage of ESB 3507 . . . . . p. 1636  
Point of order, SSB 3434 scope and object . . . . . p. 1653  
Point of inquiry, list of bills coming up . . . . . p. 1735  
Point of inquiry, scope and object, ESSB 3434 . . . . . p. 2293  
Point of inquiry, SHB 72 parliamentary steps . . . . . p. 2303  
Point of inquiry, ruling, SHB 605 . . . . . p. 2426

**METRIC**

Wood products processing facility, tax credit for retooling to metric: HB 192

**METROPOLITAN MUNICIPAL CORPORATION**

Council member compensation modified: HB 564  
Council membership modified: \*HB 87, CH 92 (1983)

**METROPOLITAN PARK DISTRICTS**

Bonds, sale and issuance of, provisions modified: HB 189, \*SHB 189, CH 61 (1983)  
Moorage and storage regulations, enforcement procedures: \*HB 318, CH 188  
(1983)

**MILITARY (See ALSO VETERANS' AFFAIRS)**

Absentee ballots for out of U.S.A. military: HB 841  
Agent orange problem: HFR 50  
Armories, state-owned, transient lodging: \*SSB 3657, CH 268 (1983)  
Armories, state-owned, use: \*SSB 3657, CH 268 (1983)  
Automobile license fee exemption: HB 143, \*SHB 143, CH 26 (1983)  
Draft registration proof required for higher education acceptance: HB 93  
Educational opportunities for military personnel and dependents: HJM 24  
Home loans for veterans: HJR 15  
Llewellyn M. Chilson, posthumous bestowal of congressional medal: HFR 60  
McChord and Fort Lewis, civic contributions saluted: HFR 87  
MIA return: HJM 31  
MIA's, refunding inheritance taxes paid on estates: HB 598  
National guard educational assistance program, sunset termination: HB 493, \*SHB  
493, CH 197 (1983)  
National guard membership may include judges: \*SB 3393, CH 218 (1983)  
Nuclear weapons freeze: HJM 3  
Nuclear weapons, mutual and verifiable freeze: SJM 106  
Peace and conflict resolution, national academy establishment requested: HCR  
12  
Peace through strength: HJM 26  
POWs and MIAs: HFR 48  
Retail sales on federal military bases, eliminate tax exemption: HJM 1

**MILITARY—cont.**

- Tuition, higher education, nonresident exemption for spouse and children: HB 133, HB 335
- Tuition, higher education, nonresident exemption, spouse and dependents: SB 3044
- Tuition increase exemption, Vietnam veterans, extended to 1989: HB 848, \*SHB 848, CH 307 (1983), SSB 3589
- Unemployment compensation does not include weekend duty reserve pay: \*HB 787, CH 67 (1983)
- Veteran services may be contracted: \*SSB 3595, CH 260 (1983)
- Veterans' affairs, rehabilitative services may be contracted: HB 632
- Veterans, home loan financing program established: HB 186
- Veterans, memorial parks and cemeteries: HB 575
- Veteran's relief fund: HB 576, \*SHB 576, CH 295 (1983), SSB 4259
- Vietnam veteran tuition increase exemption extended to 1989: HB 848, \*SHB 848, CH 307 (1983), SSB 3589
- WWII state employees and surviving spouse, discriminatory dismissal, reparation: \*SSB 3163, CH 15 E1 (1983)
- WWII state employees who suffered discriminatory dismissal, reparation: HB 268

**MILK AND MILK PRODUCTS (See DAIRY PRODUCTS)****MILLS (See NATURAL RESOURCES, DEPARTMENT OF)****MILWAUKEE ROADS (See RAILROAD)****MINING (See NATURAL RESOURCES, DEPARTMENT OF; OIL AND GAS)****MOBILE HOMES (See HOUSING)****MONEY**

- Federal reserve act, repeal: SJM 121

**MONTCHALIN, YVONNE C.**

- Member, board of trustees Clark community college  
district 14: GA 53, confirmed ..... pp. 31, 482, 601

**MOORE, SENATOR RAY**

- Oath of office ..... p. 2
- Nominated secretary of the senate Sid Snyder ..... p. 6
- Appointed member energy and utilities, financial  
institutions and social and health services committees ..... p. 34
- Statement for journal, gubernatorial appointments ..... p. 602
- Personal privilege, SHB 72 withdrawal of amendment ..... p. 2303

**MORIGUCHI, TOMIO**

- Member, board of trustees Seattle community college  
district 6: GA 73 ..... pp. 46, 2306

**MORRISON, CONGRESSMAN SID**

- Letter of appreciation to senate members ..... p. 862

**MORTGAGES (See REAL PROPERTY)****MOTEL (See HOTEL—MOTEL)****MOTOR FREIGHT CARRIERS (See COMMON CARRIERS)****MOTOR VEHICLES**

- Alcohol may not be brought into auto race parks: \*SSB 3101, CH 160 (1983)
- Alcohol-related problems, joint select committee to study funding: HCR 18
- Antique vehicles, insurance rate limits: SSB 3694
- Attachment and execution, exempt amount increased to \$1,500: SB 3408
- Automobile dealers, unfair practices filing period: HB 142
- Automobile repairs estimate alternatives, liens, parts: HB 489
- Boat trailers exempt from vehicle dealer laws: HB 966
- Campers, number of license plates reduced to one: HB 4
- Certificates of ownership, application fee: \*SB 3097, CH 77 (1983)
- Child restraints required: HB 66, \*SB 3203, CH 215 (1983)

**MOTOR VEHICLES—cont.**

- Commercial vehicles, proportional registration: SB 3135  
 Computer records suffice, director of licensing may destroy applications: SSB 3194  
 County auditor to keep \$2 of license fee: HB 394  
 Destroyed, surrender certificate of ownership: SSB 3194  
 Diesel trucks may have personalized plates: \*HB 144, CH 27 (1983)  
 Driver training instructors, minimum age reduced to 18: HB 90  
 Driver's license, have current out-of-state, waive exam: HB 609  
 Driver's license, notice of suspension, revocation, or denial by 1st class mail: SB 3121  
 Driver's license, payment of penalty for traffic infraction a prerequisite to reissuance: SSB 3122  
 Driver's license, provisional license for under 18: HB 130  
 Driver's license, revocation for felony flight: \*SB 3172, CH 80 (1983)  
 Driver's license, vision standards, 20/200: SSB 3122  
 Emission control account, noncompliance areas, testing: HB 465  
 Emission inspections, fleet redefined: HB 389, HB 611  
 Emission standards, motor vehicles fueled by propane exempt: \*SSB 3497, CH 237 (1983)  
 Emission testing, used cars sold by dealers exempt: HB 491, \*SB 3857, CH 238 (1983)  
 Fees, fines, forfeitures, and penalties, uniformity in collection and distribution: HB 508  
 Fees, fines, forfeitures, procedures for remittance to state treasurer: HB 510  
 Fees, license and renewal, island counties allocate to ferry system: HB 230  
 Ferry system supported by auto license and renewal fees from island counties: HB 230  
 Financial responsibility, owner and household excluded: HB 813  
 Fleet redefined for vehicle emission inspection purposes: HB 389, HB 611  
 Gasoline pricing, deceptive methods prohibited: \*SSB 4034, CH 114 (1983)  
 Hulk haulers, scrap processors, rebuilders, revising regulations: \*HB 259, CH 142 (1983)  
 Impounded by cities, redemption procedures: \*SB 3846, CH 274 (1983)  
 Insurance, antique vehicles, rate limits: SSB 3694  
 Insurance, identification cards required: HB 103  
 Insurance, liability mandatory: HB 119  
 Insurance, state to underwrite, damage limits set: HB 568  
 Insurance, underinsured, coverage provisions modified: \*HB 203, CH 182 (1983)  
 License exemptions, wheelchair transporters: HB 545  
 License fees, department of transportation may collect: HB 143, \*SHB 143, CH 26 (1983)  
 License plate manufacturing standards: HB 482, \*SHB 482, CH 72 (1983)  
 License plates confiscated if drive while license suspended or revoked: HB 558  
 License plates, consulate, renewal requirements: \*HB 144, CH 27 (1983)  
 License plates, may retain special plates: \*HB 144, CH 27 (1983)  
 License plates, personalized, nongame species clarified: HB 803  
 License plates, personalized plates available for diesel trucks: \*HB 144, CH 27 (1983)  
 License plates, personalized plates, letters increased to 7: HB 261, SHB 261, \*SB 3390, CH 24 E1 (1983)  
 License plates, reducing number to one: HB 4  
 License plates, street rod category created: HB 4  
 License plates, unemployable veterans: HB 868, SHB 868, \*SB 4153, CH 230 (1983)  
 Mobile home ownership transfer: SSB 3194  
 Model traffic ordinance updated: \*HB 216, CH 30 (1983)  
 Motor oil to be recycled: HB 252, SHB 252, \*SSB 4201, CH 137 (1983)  
 Motor vehicle fund distribution, maintenance of city streets, state aid approval: \*HB 285, CH 43 (1983)  
 Motor vehicle fund distribution, municipal research council, no allotment reduction: HB 47



**MOTOR VEHICLES—cont.**

- Multilane highways, keep right except to pass: HB 799
- Noise levels, off-road vehicles, no standards in high-use parks: HB 562
- Nonresident license fee exemption: HB 143, \*SHB 143, CH 26 (1983)
- Nonresident travel trailers not exempt: HB 143, \*SHB 143, CH 26 (1983)
- Noxious weed control, funded by special tax at vehicle license time: SSB 3205
- Occupational license, restrictions as to time and place of use: HB 367
- Oil recycling: HB 802
- Ownership certificate, additional fee of \$3: HB 394
- Ownership certificate, destroyed vehicle: SSB 3194
- Passing, use left lane on multilane highway only when passing: HB 799
- Penalty assessments, court may deduct costs: HB 559
- Phantom vehicles, insurance provisions: \*HB 203, CH 182 (1983)
- Propane fueled vehicles exempt from air pollution standards: \*SSB 3497, CH 237 (1983)
- Propane fueled vehicles to bear reflective placard: \*SSB 3497, CH 237 (1983)
- Provisional driver's licenses for under 18: HB 130
- Reciprocal and proportional registration: SSB 3194
- Registration quarters, eliminated: \*HB 144, CH 27 (1983)
- Repairs, estimate alternatives, remove liens, parts: HB 489
- Repairs, rebuilding, revising regulations: \*HB 259, CH 142 (1983)
- Sales and service, warranties: HB 840, SHB 840, \*SSB 3034, CH 240 (1983)
- Seat belts for children: HB 66, SB 3203
- Security interest, perfection: SSB 3194
- Size, load restrictions, conformity with federal standards: HB 769, \*SB 4112, CH 278 (1983)
- Snowmobile advisory committee, termination provision: \*HB 180, CH 139 (1983)
- Special fuel trip permits: HB 644, \*SB 3144, CH 78 (1983)
- Speed limits, local regulation may be less than 20 MPH: SB 3191
- Street rods, special license plates authorized: HB 4
- Trade-in allowances, deducted from sales price: HB 191
- Traffic infraction, director to certify one transcript for hearing officer in habitual offender cases: \*SB 3123, CH 209 (1983)
- Traffic infraction, motor vehicle without child restraint: HB 66
- Traffic infraction, payment of penalty a prerequisite to reissuance of a driver's license: SSB 3122
- Traffic infraction penalty assessments, court may deduct costs: HB 559
- Traffic infractions on college campuses, jurisdiction, appeals: \*SSB 3453, CH 221 (1983)
- Travel trailer license, no nonresident exemption: HB 143, \*SHB 143, CH 26 (1983)
- Travel trailer, number of license plates reduced to one: HB 4
- Urban arterial trust account: HB 826
- Used cars sold by dealers exempt from emission testing: HB 491, \*SB 3857, CH 238 (1983)
- Vehicle emission control account, noncompliance areas, testing: HB 465
- Vehicle inspection program, sunset termination: HB 493
- Vehicle inspection program, sunset termination: HB 493, \*SHB 493, CH 197 (1983)
- Victims of uninsured motorists, fund established: HB 636
- Warranties with respect to sales: HB 840, SHB 840, \*SSB 3034, CH 240 (1983)
- Wheel chair transporters, special design, brake requirements: HB 94, HB 545
- Wheelchair conveyance, licensing requirements: HB 546, \*SHB 546, CH 200 (1983)
- Wheelchair conveyance safety standards: HB 546, \*SHB 546, CH 200 (1983)
- Wheelchair transporters, license exemptions: HB 545

**MOVIES**

- X-rated shown to minors, penalty: HB 370

**MOVING WALKS (See ELEVATORS)****MT. ST. HELENS**

- Repair needs, state power enlarged: HB 358, \*SB 3519, CH 1 E1 (1983)

**MUNICIPAL CORPORATIONS** (See also CITIES, COUNTIES)

- Bonds, declaratory judgments, local governments, their agencies and instrumentalities: \*SSB 3637, CH 263 (1983)
- Comprehensive traffic safety plan duties modified: \*SSB 3538, CH 14 E1 (1983)
- Electric generation of sewer and water system: HB 710
- Public improvement boundaries for tax purposes: HJR 28, HJR 32, SSJR 119
- School community service districts: HB 461
- Warrants for claims, issuance procedure: HB 374

**MUNICIPAL RESEARCH COUNCIL**

- Appropriation of funds from motor vehicle excise taxes, no allotment reduction: HB 47, \*SHB 47, CH 22 (1983)
- Membership reduced: HB 47
- Sunset termination repealed: HB 47
- Sunset termination, set for 1990 instead of 1984: \*SHB 47, CH 22 (1983)

**MURAKAMI, RICHARD**

- Member, board of trustees Grays Harbor community college district 2: GA 42, confirmed . . . . . pp. 29, 480, 598

**MUSEUMS** (See HISTORICAL CONSERVATION)**MUTUAL SAVINGS BANKS** (See BANKS AND BANKING)**NATIONAL GUARD**

- Judges may be members: \*SB 3393, CH 218 (1983)

**NATIVE AMERICANS**

- Anadromous game fish buyers license, may purchase from Indians: HB 233, \*SHB 233, CH 284 (1983)
- Boldt decision: SJM 120
- George Anna Adams Miller honored: HFR 8
- Joint select legislative committee on Indian affairs: HCR 17, SCR 123
- Salmon fishing, commercial, prohibited below Bonneville dam: HB 291, \*SSB 3217, CH 245 (1983)
- Sovereignty has no constitutional or legal basis: HB 638
- Sturgeon fishing with a set line, endorsement necessary: \*HB 674, CH 300 (1983)

**NATURAL RESOURCES, DEPARTMENT OF**

- Aluminum, manufacturing tax extended to: HB 798
- Aquatic land enhancement account: HB 809
- Aquatic land leases: \*SSB 3290, CH 2 E2 (1983)
- Aquatic land management: SHB 980
- Aquatic lands, distribution of funds revised: HB 809
- Boom companies, sunset termination: HB 493, \*SHB 493, CH 197 (1983)
- Capital purchase and development account, fund distribution: HB 809
- Civilian conservation corps called for: HJM 15
- Commissioner salary increase: HB 50, SHB 50
- Conservation corps established within many agencies: \*2SSB 3624, CH 40 E1 (1983)
- Dormant mineral interest record: SSB 4019
- Exchange of publicly-owned lands authorized: \*SSB 3614, CH 261 (1983)
- Fire protection assessments, exemptions, refunds: HB 661, \*SHB 661, CH 299 (1983)
- Firewood distribution project: HB 212
- Forest land, exchange of publicly-owned land: \*SSB 3614, CH 261 (1983)
- Forest land, reforestation land reclassified: HB 425
- Forest lands, sales and purchases, consider local land use: HB 181, SHB 181
- Forest pest and disease control: HB 767
- Forest practices, exempt from EIS requirements: \*SSB 3006, CH 117 (1983)
- Geographic names board established: \*SB 3843, CH 273 (1983)
- Harbor areas and tidelands, percentage of lease money paid to towns: \*SSB 3066, CH 153 (1983)
- Harbor leases, lease period for wharves and docks extended to 50 years: HJR 10
- Harbor leases, lease period for wharves and docks extended to 55 years: \*SB 3585, CH 259 (1983), SJR 105

**NATURAL RESOURCES, DEPARTMENT OF—cont.**

- Land bank account created: SHB 181
- Land bank, not to exceed 1,500 acres: HB 181, SHB 181
- Land bank revolving fund created: HB 181
- Land sales, market conditions, contract or cash: HB 181, SHB 181
- Log driving companies, sunset termination: HB 493, \*SHB 493, CH 197 (1983)
- Logging industry and contracts supported: HFR 95
- Milwaukee road, DNR controls, powers, duties: HB 727
- Milwaukee road DNR responsibility, plan to be prepared: SSB 4251
- Milwaukee road, multiple-use study, alternative site: HB 732
- Milwaukee road, parks and recreation advisory committee to plan: HB 737
- Milwaukee road, William O. Douglas trail: SHB 737
- Mineral claim filing procedures: SSB 4019
- Mineral interests, revert to deeding owner if no claim filed: SSB 4019
- Noise levels, off-road vehicles, no standards in high-use parks: HB 562
- Oil and gas marine exploration, permit required: HB 95, \*SHB 95, CH 138 (1983)
- Oil and gas procedures: HB 500, SHB 500, HB 932
- Oil and gas severance and conservation act: 2SSB 3187
- Pest and disease control: HB 767
- Primary processing: HB 202
- Reforestation classification terminated: HB 425
- Senior citizen wood collection fee exemption: \*HB 436, CH 193 (1983)
- Small business mill survival act: HB 202
- Surface mines, regulation: HB 480, SHB 480
- Timber land, current use assessment: SSB 3504
- Timber sale contracts, defaults: SB 3605
- Timber sold on public land, sale price adjustment only for major species: \*HB 399, CH 12 E1 (1983)
- Timber sold on public land, sale price adjustment repealed: HB 398
- Timber sold on public lands, primary processing: HB 443
- Timber sold on public lands, small mill criteria: HB 202
- Toll logging roads, sunset termination: HB 493, \*SHB 493, CH 197 (1983)
- William O. Douglas trail: SHB 737
- Wood products processing facility, tax credit for retooling to metric: HB 192

**NATURALIZATION (See IMMIGRATION AND NATURALIZATION)****NAVIGATION (See also BOATS)**

- Columbia river, deepening for crossing the bar: HFR 21
- Marine transportation benefit area authority: HB 464
- Pilots, age minimum reduced to 18: HB 90
- Pilots, limitation of liability: SSB 3133
- Undocumented vessels, limit exemptions: HJM 21

**NEIGHBORHOOD ASSISTANCE ACT (See PLANNING AND COMMUNITY AFFAIRS AGENCY)****NETHERLAND, WARREN**

- Member, sentencing guidelines commission: GA 34, confirmed pp. 27, 1304, 1996, 2019

**NEWHOUSE, SENATOR IRVING**

- Oath of office . . . . . p. 2
- Appointed member agriculture, commerce and labor, judiciary and rules committees . . . . . p. 33
- Point of order, conference committee request . . . . . p. 324
- Parliamentary inquiry, free conference rules . . . . . p. 344
- Remarks, concerning SB 4079 . . . . . p. 839
- Point of order, questioned rules . . . . . p. 839
- Point of order, rule 15 SSB 3660 . . . . . p. 884
- Point of order, restricting debate on SSB 3608 . . . . . p. 887
- Remarks, HJR 27, vote in rules . . . . . p. 1118
- Statement of protest, violation of standing rules . . . . . p. 1282
- Point of order, senate rules . . . . . p. 1393

**NEWHOUSE, SENATOR IRVING—cont.**

Remarks, ruling point of order	p. 1394
Point of order, ESB 3224	p. 1557
Point of order, SFR 1983-67	p. 1631
Point of order, challenging ESB 3507	p. 1636
Remarks, bills to be returned to rules committee	p. 1658
Point of order, scope and object (SSB 3273)	p. 1706
Point of order, HCR 23	p. 1727
Parliamentary inquiry, signatures on conference committee report	p. 1883
Point of order, conference report ESHB 240	p. 2011
Parliamentary inquiry, order of business	p. 2303
Appointed interim committee member of energy and utilities committee	p. 2428

**NEWMAN, DELLA M.**

Member, state personnel board: GA 76	p. 99
--------------------------------------	-------

**NEWS (See also TELEVISIONS)**

Blaine Freer, journalistic efforts hailed: HFR 47	
Confidentiality of news source: HB 655	
Matching local funds for public television transmitters eliminated: SJM 118	
Newspaper sale and use tax exemption repealed: HB 781	

**NOISE (See POLLUTION)****NONPROFIT CORPORATIONS AND ORGANIZATIONS**

Charitable solicitations, registration and disclosure: HB 553, *SSB 3642, Ch 265 (1983)	
Conservation futures, certain holdings exempt from ad valorem taxation: HB 692	
County and city participation with economic programs is a public purpose: SSB 3276	
Gambling, member to include national membership: SSB 3434	
Gambling, winning, limit increased: SSB 3434	
Rummage sale use does not make property commercial: HB 504, *SB 3162, CH 5 E1 (1983)	
Shelters, homeless persons, exempt from taxation: HB 656, SB 3438	
Tax exempt property, incidental rental authorized: HB 625	
Technology training fund and corporation created: HB 75	
Transportation for elderly or handicapped, motor vehicle fuel tax exemption: HB 539, *SHB 539, CH 108 (1983)	

**NONRESIDENT SALES TAX (See TAXES - SALES)****NORTHWEST REGIONAL POWER ACT (See ENERGY)****NORWAY**

Norwegian independence day: HFR 85	
------------------------------------	--

**NOTARY PUBLIC**

Fees, authorized increase: HB 124, SHB 124, *SSB 3166, CH 214 (1983)	
Notaries public and commissioners of deeds, sunset termination: HB 493	
Notaries public and commissioners of deeds, sunset termination: HB 493, *SHB 493, CH 197 (1983)	

**NOTICE (See subject matter)****NUCLEAR POWER (See ENERGY)****NUCLEAR WASTE (See HAZARDOUS SUBSTANCES)****NUCLEAR WEAPONS**

Calling for nuclear weapons freeze: HJM 3, SJM 106	
----------------------------------------------------	--

**NURSES**

American nurses association president, Bernice Cole introduced and addressed senate	p. 117
Child abuse, report, police officer takes child into custody: *SSB 3253, CH 246 (1983)	

**NURSES**—cont.

- Chore services, insurance to cover: \*SSB 3308, CH 249 (1983)
- Home health care services, health insurance plans to cover: \*SSB 3308, CH 249 (1983)
- Hospices, insurance to provide coverage: \*SSB 3308, CH 249 (1983)
- Intercollegiate center for nursing, employee fee waiver: \*SB 3448, CH 220 (1983)
- LPN, modifying regulations: \*HB 63, CH 55 (1983)
- National recognition week for registered and practical nurses: HFR 77
- Nurse-patient privilege: HB 688
- Reports of abused dependent adults: SB 3060
- Sunset termination: HB 493, \*SHB 493, CH 197 (1983)

**NURSING HOMES**

- Abuse, restraining order by local prosecutor: HB 346, SHB 346, \*SSB 3660, CH 269 (1983)
- Administrators age dropped to 18: HB 90
- Advisory council, sunset termination: HB 493, \*SHB 493, CH 197 (1983)
- Audit and cost reimbursement, interim procedures: SHB 762
- Audit procedures modified: HB 353, \*SSB 3780, CH 67 E1 (1983)
- Auditing and cost reimbursement act, implementation dates revised: HB 762, SHB 762
- Community-based care: HB 850, \*SSB 3757, CH 236 (1983)
- Costs deducted from income for senior citizen real property tax exemption: HB 264, \*SHB 496, CH 11 E1 (1983)
- Industrial development revenue bonds authorized: HB 242, SSB 3173
- Long-term care: HB 395
- Long-term health care, ombudsman program: \*SHB 484, CH 290 (1983)
- Ombudsmen program: HB 484, \*SHB 484, CH 290 (1983)
- Pets, may live in or visit facilities: SB 3059

**OBSCENITY** (See PORNOGRAPHY)**OCCUPATIONAL THERAPISTS** (See HEALTH CARE AND SERVICES)**OIL AND GAS**

- Conservation committee, duties: HB 734, \*SSB 3483, CH 253 (1983)
- Dormant mineral interest record: SSB 4019
- Exploration procedures: HB 734, \*SSB 3483, CH 253 (1983)
- Heaters, portable oil fueled heaters regulated: \*SSB 3251, CH 134 (1983)
- Marine exploration permit: HB 95, \*SHB 95, CH 138 (1983)
- Mineral claim filing procedures: SSB 4019
- Mineral interests, revert to deeding owner if no claim filed: SSB 4019
- Motor oil to be recycled: HB 252, SHB 252, \*SSB 4201, CH 137 (1983)
- Oil and gas procedures: HB 500, SHB 500, HB 932
- Oil and gas severance and conservation act: 2SSB 3187
- Propane fueled vehicles to bear reflective placard: \*SSB 3497, CH 237 (1983)
- Propane, special fuel tax: \*SB 3134, CH 212 (1983)
- Recycling of automotive oil: HB 802
- Recycling tanks for used oil: HB 873
- Special fuel, trip permits: HB 644, \*SB 3144, CH 78 (1983)

**OLDER AMERICANS** (See ELDERLY)**OLYMPIC COMMUNITY COLLEGE DISTRICT 3, BOARD OF TRUSTEES**

- Anne S. Blair, member: GA 43, confirmed ..... pp. 29, 480, 599
- Avery K. Loposer, member: GA 84 ..... p. 152

**OLYMPIC COUNTY**

- Created, subject to voter approval: HB 362, SB 3264

**OMBUDSMEN PROGRAM** (See SOCIAL AND HEALTH SERVICES, DEPARTMENT OF)**OPEN PUBLIC MEETINGS**

- Contract negotiations, exception: \*SSB 3206, CH 155 (1983)
- Elective positions, appointment proceedings, open: \*SSB 3206, CH 155 (1983)

**OPEN PUBLIC MEETINGS—cont.**

Governing body expanded to include committee: \*SSB 3206, CH 155 (1983)

Higher education personnel board: \*HB 83, CH 23 (1983)

Joint operating agencies: SHB 631

Operating agencies: \*SSB 3266, CH 3 E1 (1983)

WPPSS executive board: \*SSB 3266, CH 3 E1 (1983)

**OPEN SPACE (See REAL PROPERTY)****OPERATING AGENCIES**

Executive boards must file public disclosure reports: SSB 3259

**OPERATING BUDGET (See BUDGET AND ACCOUNTING)****OPTOMETRISTS (See PHYSICIANS)****ORDINANCES**

Tax repeal ordinances, time period for filing: HB 263, \*SHB 263, CH 99 (1983)

**OREGON**

Higher education tuition reciprocity, conditions: HB 409, \*SHB 409, CH 104 (1983)

Idaho, Washington, meetings for mutual concerns: HFR 40

Joint committee for Washington, Oregon, Idaho mutual concerns: HCR 16

**OUTDOOR RECREATION, INTERAGENCY COMMITTEE FOR**

Silva Bolds, member: GA 11, confirmed . . . . . pp. 23, 156, 273

John H. Jessup, Jr. member: GA 12, confirmed . . . . . pp. 23, 125, 144

**OVERTIME WORK (See WORK)****OWEN, SENATOR BRAD**

Oath of office . . . . . p. 2

Appointed member, institutions, natural resources  
and transportation committees . . . . . p. 34

Point of order, SB 3475 . . . . . p. 492

Remarks, 2SSB 3230 . . . . . p. 758

Appointed interim committee member LTC . . . . . p. 2428

**OYSTERS (See FISHERIES, DEPARTMENT OF)****PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLAN-  
NING COUNCIL**

Daniel J. Evans, member: GA 107 . . . . . pp. 901, 1071

**PACS (See CAMPAIGNS)****PANTHER, ROBERT D.**

Member, state investment board: GA 89 . . . . . p. 183

**PARDINI, ANTHONY J.**

Member, utilities and transportation commission:  
GA 74 . . . . . pp. 47, 532

**PARENTS (See FAMILY LAW)****PARIMUTUEL MACHINES (See HORSE RACING COMMISSION)****PARKING (See HANDICAPPED; MOTOR VEHICLES)****PARKS AND RECREATION**

Civilian conservation corps, former member to receive lifetime passes: HB 459

Columbia river gorge, refrain from imposing federal control: HJM 18, SJM 110

Conservation corps established within many agencies: \*2SSB 3624, CH 40 E1  
(1983)

Fees, fines, forfeitures, and penalties, uniformity in collection and distribution: HB  
508

Heritage council, creation of: HB 81

Interagency committee for outdoor recreation, commissioners: HB 756

John Wayne trail: HB 737

Landowner liability, recreational users of land or water: HB 755

Lifetime passes to former civilian conservation corps members: HB 459

**PARKS AND RECREATION—cont.**

- McNeil, requests that the island be given to the state: HFR 18
- Milwaukee road DNR responsibility, plan to be prepared: SSB 4251
- Milwaukee road, parks and recreation advisory committee to plan: HB 737
- Milwaukee road, William O. Douglas trail: SHB 737
- Nisqually Delta and Sequim Bay retained on sanctuaries list: HB 686
- Noise levels, off-road vehicles, no standards in high-use parks: HB 562
- Nonresident surcharge on park use, sunset removed: \*SB 3413, CH 38 E1 (1983)
- Senior citizen wood collection fee exemption: \*HB 436, CH 193 (1983)
- Service area levies, proposals: HB 597, SHB 597, SSB 4015
- Snowmobile advisory committee, termination provision: \*HB 180, CH 139 (1983)
- Washington conservation corps, administration of: HB 330
- William O. Douglas trail: SHB 737

**PARKS AND RECREATION COMMISSION, STATE**

- Eustace "Sonny" Vynne, Jr., member: GA 81 ..... p. 148
- Jack R. Gustafson, member: GA 87 ..... p. 183

**PARLIAMENTARY INQUIRIES**

- Question re: permanent rules (Clarke) ..... p. 96
- Order of amendments (Pullen) ..... p. 162
- Question re: 60% majority vote on SB 3100 (Sellar) ..... p. 208
- Simple majority to cut off debate (Metcalf) ..... p. 237
- Conference committee rules (Clarke) ..... p. 325
- Number of conferees (Clarke) ..... p. 326
- Free conference rules (Newhouse) ..... p. 344
- Explanation of EHB 1075 (Fleming) ..... p. 432
- Legitimacy of amendment (Vognild) ..... p. 467
- Order of amendments on SSB 3414 (Pullen) ..... p. 485
- Motion to reconsider (Clarke) ..... p. 485
- Order of amendments (Metcalf) ..... p. 533
- Question re: roll call on motion SSB 3043 (Bottiger) ..... p. 538
- Limitation on oral amendments (Jones) ..... p. 614
- Order of business (Peterson) ..... p. 614
- Closing debate (Jones) ..... p. 636
- Untimely motion (Clarke) ..... p. 673
- Order of amendments, SSB 3978 (Shinpoeh) ..... p. 690
- SB 4141 to survive cut-off (Clarke) ..... p. 729
- Three-minute rule (Shinpoeh) ..... p. 734
- Required number of votes on SSB 3814 (Pullen) ..... p. 755
- Order of amendments on SB 4202 (Guess) ..... p. 798
- Wording of amendment to SB 4202 (Pullen) ..... p. 799
- Order of amendments on SB 4079 (Pullen) ..... p. 828
- Order of amendments on SB 4079 (Benitz and Pullen) ..... p. 829
- Percentage of vote on ESB 3114 (Bottiger) ..... p. 874
- Attorney General's opinion on ESB 3114 (Pullen) ..... p. 874
- Timing of amendment on SSB 3880 (Gaspard) ..... p. 896
- Cut-off time on SSB 3173 (Pullen) ..... p. 897
- Parliamentary effect of moving bills on calendar (Metcalf) ..... p. 903
- Parliamentary procedure on SB 4251 (Bluechel) ..... p. 1007
- Implementation of SSB 3248 (Metcalf) ..... p. 1108
- Rule to close debate (Pullen) ..... p. 1112
- Vote on SHB 336 (Haley) ..... p. 1115
- Interpretation of rules vote (Metcalf) ..... p. 1117
- Number of members on rules committee ..... p. 1121
- Order of motion (Sellar) ..... p. 1266
- Motion to reconsider (Bottiger) ..... p. 1267
- Suspension of rules, SHB 117 (Clarke) ..... p. 1280
- Cut-off time, EHB 2 (Pullen) ..... p. 1294
- Parliamentary procedure, SB 3182 (Pullen) ..... p. 1372
- Order of motion (Rasmussen) ..... p. 1372
- Order of motion (Goltz) ..... p. 1384

**PARLIAMENTARY INQUIRIES—cont.**

10 o'clock rule (Pullen)	p. 1405
Rule 15 vote (Pullen)	p. 1405
Conference committee SSB 3766 (Hemstad)	p. 1431
Rule 66 (Bluechel)	p. 1455
Dividing amendment for vote (Benitz)	p. 1474
Vote on SB 3266 (Bluechel)	p. 1476
Order of motion (Clarke)	p. 1477
Roll call vote on E2SSB 3245 (Clarke)	p. 1490
Three-minute rule, SB 3182 (Jones)	p. 1609
SB 3182 (McDermott)	p. 1610
Delaying bill process, SB 3182 (Bottiger)	p. 1613
SB 3182 (Rasmussen and Woody)	p. 1614
SB 3182 (Bottiger and Guess)	p. 1615
SB 3182, suspension of rules (Rasmussen)	p. 1616
President's ruling (Bottiger)	p. 1618
Signing bill under rule 28 (Rasmussen)	p. 1619
Rule 28 (Deccio)	p. 1619
SB 3182, bill comparison (McCaslin)	p. 1620
Limiting subject and time by Governor (Bottiger)	p. 1629
SB 3507 (Metcalf)	p. 1636
SB 3090 (Peterson, Talmadge and Hayner)	p. 1646
SB 3090, amendment (Clarke)	p. 1647
Rule 50, senate calendar (Kiskaddon)	p. 1659
SSB 3311 (Pullen)	p. 1710
HCR 23 (Clarke)	p. 1720
Amendment to ESSB 4158 (Pullen)	p. 1728
Order of bills (Metcalf)	p. 1735
Roll call on SCR 126 (Pullen)	p. 1736
Adoption of amendments (Bottiger)	p. 1772
Three-minute rule (Quigg)	p. 1795
Roll call vote on HB 72	p. 1812
SSB 3520 (Clarke)	p. 1831
EHB 428 (Newhouse)	p. 1883
60% vote on capital budget (Rasmussen)	p. 1889
ESB 3858, conference report (Rasmussen)	p. 1982
Order of business (Pullen)	p. 2010
Order of business, ESHB 240 (Rasmussen)	p. 2011
ESSB 3434 (Bottiger)	p. 2031
Order of calendar (Guess)	p. 2130
EHB 1079 (Bottiger)	p. 2186
Amendment to ESSB 3434 (Metcalf)	p. 2293
Title amendment to ESSB 3434 (Vognild)	p. 2293
SSB 4245 (Clarke)	p. 2293
SHB 72 (Newhouse and Metcalf)	p. 2303
ESSB 3434 (Rasmussen)	p. 2345
ESHB 52 (Guess)	p. 2387
Amendment to SHB 605 (Bluechel)	p. 2426
Ruling on SHB 605 (Metcalf)	p. 2426
Shortest session in history (Clarke)	p. 2441

**PARTNERSHIPS (See SECRETARY OF STATE)****PATTERSON, SENATOR E. G. "PAT"**

Appointed member education, natural resources, rules and transportation committees	p. 33
Appointed interim committee member LTC	p. 2428

**PATON, CAROLYN**

Member, state lottery commission: GA 18	pp. 24, 449
-----------------------------------------	-------------

**PAWN BROKERS (See SECURITY INTERESTS)**



**PENINSULA COMMUNITY COLLEGE DISTRICT 1, BOARD OF TRUSTEES**

Jane G. Hughes, member: GA 41, confirmed . . . . . pp. 28, 480, 598

**PENSIONS**

- Age, mandatory retirement may be waived: HB 338
- Annuities, tax deferred, school district employees may contract: HB 613
- Consolidated employers, political subdivisions, retirement plan procedures: SSB 3226
- Deferred compensation, counties, municipalities, employees authorized to participate: HB 618. \*SB 3840, CH 226 (1983)
- Disability cases, hearing examiner: SSB 3226
- Dual retirement system membership: HB 812
- Elected officials, procedures: SSB 3226
- Firefighters psychologist fees paid for by retirement system: SSB 3226
- Full funding for state managed systems: HJR 2
- Housing financing, public pension guarantee fund created: HB 267
- Inflated pension costs: HB 843
- Investment fund to provide increased mortgage capital: SCR 126
- Law enforcement psychologist fees paid for by retirement system: SSB 3226
- LEOFF pays for psychologist fees: SSB 3226
- LEOFF system to be reviewed: SSB 3226
- Mandatory retirement age provisions, waiver: HB 338
- Membership to be kept in one system: HB 526
- Public pension guarantee fund, investments in residential financing: HB 267
- Public retirement, do not change systems when switch positions: HB 526
- Public retirement, joint interim committee: HCR 24, SCR 134
- Public retirement, \$.67 increase for each year of creditable service: HB 51
- Public retirement, \$.74 increase for each year of creditable service: \*SHB 51, CH 56 E1 (1983), HB 495, SHB 495, SB 3910
- Restoration of withdrawn contributions on service reentry, notice of opportunity: HB 126, \*SHB 126, CH 233 (1983)
- Retirement system, appeals: SSB 3226
- Retirement systems, full funding by state: HJR 5
- Salary computation does not include certain employee contributions: HB 218
- School district employees, tax deferred annuity contract: HB 613
- Service credits, transfer of credit between systems provided for: HB 679
- State patrol cadets, retirement contributions, transfer to patrol system: \*SSB 3174, CH 81 (1983)
- State patrol, survivor's benefits: HB 271, SHB 271
- Teachers' retirement, do not change system if change positions: HB 529
- Teachers' retirement, teachers in local government elective position may stay in system: HB 549
- Teachers, \$.67 increase for each year of creditable service: HB 51
- Teachers, \$.74 increase for each year of creditable service: HB 495
- Transfer of service credit between systems provided for: HB 679
- Vacation leave, cash received not part of retirement allowance computations: HB 129, \*SHB 129, CH 283 (1983)

**PERSONAL PROPERTY (See also TAXES - PERSONAL PROPERTY)**

- Attachment and execution, exempt amount increased: SB 3408
- Chattel, totally destroyed, recover replacement and loss of time: HB 723
- Industrial accidents, personal property damaged, claims: \*HB 817, CH 111 (1983)
- Irrigation equipment, use tax exemption: \*SHB 72, CH 55 E1 (1983)
- Leases, consumer leases not a loan or forbearance: HB 92, \*SSB 3299, CH 158 (1983)
- Leases, consumer leases not a retail installment contract: HB 92, \*SSB 3299, CH 158 (1983)
- Livestock abandoned on Hanford nuclear reservation, sale: HB 512
- Safe deposit vault rent due, notice procedures: \*HB 479, CH 289 (1983)
- Uniform unclaimed property act enacted: HB 179, \*SHB 179, CH 179 (1983)

**PERSONNEL, DEPARTMENT OF**

- Authority transferred to agencies, exceptions: HB 792

**PERSONNEL, DEPARTMENT OF—cont.**

- Board membership, labor and management to be represented: HB 637
- Board, per diem compensation doubled: HB 372
- Classification appeal procedures: HB 792
- Collective bargaining power transferred to public employment relations commission: HB 792
- Employment commission created, recruit effective work force: HB 651
- Higher education personnel board transferred to state personnel board: HB 778
- Personal service contracts, purchasing conditions: HB 405
- Productivity board, director of personnel is a member: HB 617, \*SB 4205, CH 54 (1983)

**PERSONNEL APPEALS BOARD**

- Walter E. White, member: GA 72, confirmed . . . . . pp. 46, 307, 431
- Cameron Sherwood, member:  
GA 103, confirmed . . . . . pp. 595, 924, 1996, 2133

**PERSONNEL BOARD, STATE**

- Della M. Newman, member: GA 76 . . . . . p. 99

**PESTICIDES (See AGRICULTURE; HAZARDOUS SUBSTANCES)****PETERSON, SENATOR LOWELL**

- Appointed member, institutions and transportation committees . . . . . p. 34
- Parliamentary inquiry, order of business . . . . . p. 613
- Parliamentary inquiry, SB 3090 . . . . . p. 1646
- Remarks moved to consider amend. to SB 3090 . . . . . p. 1646
- Point of order, scope and object, SHB 235 . . . . . p. 1681
- Parliamentary inquiry, roll call on reconsideration of HB 72 . . . . . p. 1812
- Appointed interim committee member LTC . . . . . p. 2428

**PETS (See ANIMALS)****PHARMACISTS**

- Controlled substances schedule revised: HB 469
- Drugs, combination drug product, generic names shown on label: HB 467
- Licenses, fees, renewal: HB 467
- Licenses, inactive status: HB 467
- Reports of abused dependent adults: SB 3060

**PHARMACY, STATE BOARD OF**

- Lars Hennem, member: GA 97 . . . . . pp. 490, 705
- Joseph J. Thompson, member:  
GA 21, confirmed . . . . . pp. 25, 579, 1996, 1998
- Arthur M. Zoloth, member: GA 90 . . . . . pp. 249, 579
- Edyrn Jones, member: nomination withdrawn . . . . . p. 47

**PHYSICAL THERAPISTS**

- Licensing requirements: HB 309, \*SHB 309, CH 116 (1983)

**PHYSICIANS**

- Cancer research, excise tax from cigarettes: SB 3309
- Child abuse, report, police officer takes child into custody: \*SSB 3253, CH 246 (1983)
- Lawsuits, collateral source compensation evidence allowed: HB 381
- Lawsuits, damage agreements to be told to court and jury: HB 380
- Medical assistant, regulation: HB 594
- Medical disciplinary account created: \*HB 387, CH 71 (1983)
- Medical radiation health and safety act: HB 454
- Negligence, elements of proof modified: HB 385
- Negligence, lump sum damages, limitations, present value: HB 379
- Negligence, standard of care modified: HB 383, \*SHB 383, CH 149 (1983)
- Optometrists fee procedures modified: \*SHB 359, CH 168 (1983)
- Physician-patient privilege waived in actions against provider: HB 382
- Radiologic technology board of examiners created: HB 454
- Reports of abused dependent adults: SB 3060

**PHYSICIANS—cont.**

Standard of care modified: HB 384

Wrongful birth or wrongful life suit, prohibiting: HB 178, SHB 178

**PIERCE COUNTY**Community economic revitalization board loan limitations: HB 245, SHB 245,  
\*2SHB 245, CH 60 E1 (1983)

High technology in south Puget Sound: HB 565, SHB 565

**PILOTAGE COMMISSIONERS, BOARD OF**

Chester A. Richmond, Jr., member:

GA 83, confirmed . . . . . pp. 151, 255, 296

**PILOTS (See NAVIGATION)****PISTOLS (See GUNS)****PLANES (See AVIATION)****PLANNING AND COMMUNITY AFFAIRS AGENCY**Community economic revitalization board loan limitations: SHB 245, \*2SHB 245,  
CH 60 E1 (1983)Fire protection services contract authority transferred to PCAA: \*HB 313, CH 146  
(1983)

Public facilities, identifying bond projects: HB 356

Public works, comprehensive plan to be prepared: \*SSB 3035, CH 231 (1983)

Renamed office of community programs: HB 157, SB 3238

State building code act: HB 557

**PLATS AND PLATTING (See LAND USE PLANNING)****PLUMBERS**

Regulation of journeyman and specialty plumber: \*SSB 3054, CH 124 (1983)

**POACHING (See GAME, DEPARTMENT OF)****PODIATRY (See HEALTH CARE)****POINT OF ORDER**

Permanent rules (Bluechel) . . . . .	p. 97
Rule 29 (Talmadge) . . . . .	p. 239
Order of conference comm. request (Newhouse) . . . . .	p. 323
Grant powers of conference on SB 3258 (Bottiger) . . . . .	p. 325
Restricting discussion on EHB 1075 (Clarke) . . . . .	p. 432
Referendum on bill containing emergency clause (Vognild) . . . . .	p. 446
SB 3475 (Owen) . . . . .	p. 492
SB 3416 (Talmadge) . . . . .	p. 493
Rules re: reading on senate floor (Bottiger) . . . . .	p. 535
Three minute rule (Rasmussen) . . . . .	p. 539
Order of motions (Rasmussen) . . . . .	p. 588
EHB 441 (Hayner) . . . . .	p. 652
SSB 3161 (Thompson) . . . . .	p. 663
SSB 3183 (Clarke) . . . . .	p. 745
SSB 3206 (Bottiger) . . . . .	p. 822
Three-minute rule (Bottiger) . . . . .	p. 823
SB 4079 (Hurley) . . . . .	p. 826
Issue for consideration (Williams) . . . . .	p. 829
ESB 4079 (Bottiger) . . . . .	p. 839
Reading contrary to rules (Newhouse) . . . . .	p. 839
SB 4137 (Clarke) . . . . .	p. 841
SB 3636 (Vognild) . . . . .	p. 843
SSB 3206 (Lee) . . . . .	p. 881
SSB 3206 (Bottiger) . . . . .	p. 881
Citing rule 15 on SSB 3660 (Newhouse) . . . . .	p. 884
Restricting discussion on ESSB 3608 (Newhouse) . . . . .	p. 887
Cut-off on SB 3760 (Pullen) . . . . .	p. 919
HB 256 (Shinpoeh) . . . . .	p. 922

## POINT OF ORDER—cont.

Cut-off survival, SSB 3608 (Metcalf)	p. 930
Cut-off resolution, SSB 3880 (Hayner)	p. 931
SHB 393 (Rasmussen)	p. 978
HB 106 (Gaspard)	p. 980
SSB 3244 (McDermott)	p. 1062
HB 300 (Guess)	p. 1077
Amendment to SHB 336 (Hemstad)	p. 1114
Bottiger two separate motions (Clarke)	p. 1115
HJR not properly before senate (Clarke)	p. 1116
SCR 124 (Goltz)	p. 1126
SHB 359 (Zimmerman)	p. 1164
2SSB 3624 (Hayner)	p. 1169
Motion to withdraw 2SSB 3624 (Zimmerman)	p. 1169
EHB 2 (Williams)	p. 1275
Order of business (Rasmussen)	p. 1276
EHB 753 (Talmadge)	p. 1292
Order of business (Bottiger)	p. 1294
HB 72 (Shinpoich)	p. 1303
Placement on calendar HB 72 (Bottiger)	p. 1306
Cut-off resolution, EHB 653 (Pullen)	p. 1311
Senate rule 15 re: SCR 125 (Pullen)	p. 1320
SB 3182 (Seilar)	p. 1368
2/3 vote on motion (Fleming)	p. 1374
HB 555 (Haley)	p. 1386
EHB 511 (Pullen)	p. 1390
Standing at senate bar during roll call (Newhouse and von Reichbauer)	pp. 1393, 1394
Senate rules, ESHB 240 (Pullen)	p. 1395
Order of motions, ESHB 278 (Fleming)	p. 1403
ESHB 278 (Shinpoich)	p. 1406
SB 3090 (Talmadge)	p. 1455
ESB 3858 (Rasmussen)	p. 1519
ESSB 3101 (Rasmussen)	p. 1528
SSB 3434 (Pullen)	p. 1530
SSB 3490 (Zimmerman)	p. 1531
SSB 3520 (Pullen)	p. 1534
ESB 3224 (Newhouse)	p. 1557
SHB 139 (Rasmussen)	p. 1576
Cut-off resolution EHB 392 (Rasmussen)	p. 1577
Senate rules, SB 3182 (Gaspard)	p. 1610
Order of motions SB 3182 (Rasmussen)	p. 1614
Suspension of rules (Fleming)	p. 1615
Rule 28 (Hayner)	p. 1617
Acceptance of house comparison of bills (Rasmussen)	p. 1618
Signing SB 3182 after midnight (Rasmussen)	p. 1619
SB 3182, cut-off time (Zimmerman)	p. 1620
Time of day (McDermott)	p. 1620
Questioning time of signing SB 3182 (Rasmussen)	p. 1620
Re: SFR 1983-67 (Newhouse)	p. 1631
ESB 3507 (Newhouse)	p. 1636
SB 3090, amendment (Talmadge)	p. 1647
SSB 3434 (Metcalf)	p. 1653
Rule 50 (Rasmussen)	p. 1658
60% vote (Rasmussen)	p. 1661
SHB 235 (Peterson)	p. 1681
SSB 3628 (Clarke)	p. 1699
SSB 3085 (Rasmussen)	p. 1703
SSB 3248 (Guess)	p. 1703
SSB 3273 (Newhouse)	p. 1706
ESB 3605 (Rasmussen)	p. 1713

**POINT OF ORDER—cont.**

ESSB 3660 (Guess)	p. 1715
ESB 4089 (Clarke)	p. 1719
SSB 3982 (Guess)	p. 1719
SSB 3838 properly before senate (Rasmussen)	p. 1720
SB 3981 (Newhouse)	p. 1727
Amendment to EHB 428 (Clarke)	p. 1746
SSB 3181 (Haley)	p. 1750
EHB 399 (Clarke)	p. 1768
SB 3838 (Guess)	p. 1775
SB 3838 (Shinpoch)	p. 1775
SSB 3520 (Pullen)	p. 1791
SB 3044 (Clarke)	p. 1793
SSB 3181 (Haley)	p. 1759
Three-minute rule (Shinpoch and Rasmussen)	p. 1795
2SSB 3187 (Bottiger)	p. 1804
ESHB 796 (Clarke)	p. 1805
SB 3850 amendments (Lee)	p. 1811
Roll call on ESSB 3766 (Rasmussen)	p. 1830
SSB 3520 (Pullen)	p. 1831
Order of business (Pullen)	p. 1833
EHB 570 (Bottiger)	p. 1856
Capital budget (Rasmussen)	p. 1889
SSB 4245 (Benitz)	p. 1974
SSB 3660 (Craswell)	p. 1983
SSB 3434 (Rasmussen)	pp. 2009, 2010
Conference report on ESHB 240 (Newhouse)	p. 2011
ESSB 3434 (Rasmussen)	p. 2031
ESSB 3434 (Pullen)	p. 2293
ESHB 605 (Shinpoch)	p. 2388
SB 3909 (Lee)	p. 2416

**POISONS (See HAZARDOUS SUBSTANCES)****POKORNOWSKI, DICK**

Member, gambling commission: GA 9, withdrawn . . . . . pp. 23, 438

**POLICE (See LAW ENFORCEMENT)****POLITICAL ACTION COMMITTEES (See CAMPAIGNS)****POLITICAL CONTRIBUTIONS (See CAMPAIGNS)****POLLUTION**

DOE authority modified: \*SB 3674, CH 270 (1983)

Noise levels, off-road vehicles, no standards in high-use parks: HB 562

Pollution control tax exemption and credit certificate, tax liability procedure: HB 68

Puget Sound water quality authority established: \*SSB 3156, CH 243 (1983)

Waste treatment plant certification: HB 485

**POLLUTION CONTROL HEARINGS BOARD**

Lawrence J. Faulk, member: GA 22, confirmed . . . . . pp. 25, 274, 1140

**PORNOGRAPHY**

Childrens access at newsstands regulated: HB 697

X-rated movies shown to minors, penalties: HB 370

**PORT DISTRICTS**

Collective bargaining, fire fighters are employees of port for labor purposes: HB 434, \*SHB 434, CH 287 (1983)

Commission vacancies, legislative authority and commissioners appoint: \*SB 3120, CH 11 (1983)

Commissioner vacancies, appointed by commissioners: HB 171

Fire fighters are employees of port districts for collective bargaining: HB 434, \*SHB 434, CH 287 (1983)

**PORT DISTRICTS**—cont.

- Harbor areas and tidelands, percentage of lease money paid to towns: \*SSB 3066, CH 153 (1983)
- Leases, may contain option for a 30 year extension: \*HB 413, CH 64 (1983)
- Moorage and storage regulations, enforcement procedures: HB 211, \*HB 318, CH 188 (1983)
- Port study and review commission, effective cost and rate control program: HB 415
- Property acquisition, time period extended to 20 years: \*HB 77, CH 24 (1983)
- Public improvement boundaries for tax purposes: HJR 28, HJR 32, SSJR 119
- Subdivision, exempt from prohibition against short subdivisions: SB 3586
- Treasurers, ability to appoint private treasurer: \*SB 3363, CH 250 (1983)

**POSTSECONDARY EDUCATION, COUNCIL FOR**

- Cynthia Maisel, member: GA 23, confirmed . . . . . pp. 25, 2305, 2327

**POTATO**

- Proclamation of potato day . . . . . p. 639

**PRECINCTS** (See ELECTIONS)**PRESIDENT OF THE SENATE** (See also JOHN A. CHERBERG, LIEUTENANT GOVERNOR; RULINGS BY THE PRESIDENT; PARLIAMENTARY INQUIRIES)

- Remarks, transcription of speeches on 2SSB 3230 . . . . . p. 760
- Introduction of Ms. Susan McMahon, state coordinator,
  - National League of families of American prisoners of war and missing in SE Asia . . . . . p. 946
- Awarded certificate to ambassador of Norway . . . . . p. 1000
- Remarks on HJR 27, rules vote . . . . . p. 1121
- Introduction of captain and crew of submarine Olympia . . . . . p. 1310
- Introduction of official operations crossroads Africa . . . . . p. 1735
- Introduction of former senator Reuben Knoblach . . . . . p. 1828

**PRESIDENT PRO TEMPORE** (See also SENATOR H. A. "BARNEY" GOLTZ)

- Nominated and elected . . . . . p. 5
- Introduced Onalaska boys baseball team, coaches . . . . . p. 907

**PRESS** (See NEWS)**PRIMARY ELECTION** (See ELECTIONS)**PRINTING** (See PUBLIC PRINTER)**PRISON TERMS AND PAROLE** (See also CORRECTIONS)

- Alcohol and drug treatment programs for offenders: HB 763
- Civil rights restoration provided for: HB 455
- Continuing jurisdiction, courts of limited jurisdiction may not exceed two years: \*SB 3185, CH 156 (1983)
- Criminally insane, report availability: HB 476, \*SHB 476, CH 196 (1983)
- Fees, fines, forfeitures, procedures for remittance to state treasurer: HB 510
- Fines, \$35 per day reduction if do labor: \*SB 4082, CH 276 (1983)
- Furloughs, release, escape, 30 days notice to victims, witness, law: HB 307, SHB 307
- Good behavior sentence reduction: \*SB 4082, CH 276 (1983)
- Interstate corrections compact adopted: SB 3526
- Juvenile disposition standards, confinement not to exceed adult equivalent: HB 431, \*SHB 431, CH 191 (1983)
- Juvenile disposition standards, one additional year for offenses using gun: HB 431
- Overcrowding, reduction not applicable to violent offenses: HB 888, \*SHB 888, CH 162 (1983)
- Parole revocation, Attorney General to make recommendations: HB 476, \*SHB 476, CH 196 (1983)
- Prison reduction, does not apply to violent offenses: HB 888, \*SHB 888, CH 162 (1983)
- Reimbursement to local government, housing state prisoners: HB 926

**PRISON TERMS AND PAROLE—cont.**

- Restitution a condition to sentence suspension: HB 711, SHB 711
- Sentence length reduction: HB 888, \*SHB 888, CH 162 (1983)
- Sentences may differ from guidelines in compelling circumstances, appealable: HB 298, \*SB 3416, CH 163 (1983)
- Sentencing grid, offender score, seriousness score: HB 297, \*SHB 297, CH 115 (1983), SSB 3414
- Sentencing guidelines commission, report approved: HB 297, \*SHB 297, CH 115 (1983), SSB 3414
- Sentencing guidelines commission voting membership, includes legislators: HB 298, \*SB 3416, CH 163 (1983)
- Sentencing laws, certain revisions to mesh with sentencing guidelines: HB 298, \*SB 3416, CH 163 (1983)
- Sexual psychopath, sentencing, amenable to treatment: HB 340
- Victim impact statement: HB 711, SHB 711

**PRISON TERMS AND PAROLES, BOARD OF**

- Thomas J. Manning, member: GA 24 . . . . . pp. 25, 106, 508, 1996, 1998
- Karen B. Conoley, member: GA 25 . . . . . pp. 25, 106, 508, 1996, 1999
- George W. Johnson, member: GA 26 . . . . . pp. 26, 106, 508, 1996, 1999
- Philip R. Wittman, member:  
GA 110, confirmed . . . . . pp. 1305, 1369, 1498, 1996, 2150

**PRIVACY (See SURVEILLANCE)****PRIVATE CARRIERS (See COMMON CARRIERS)****PRIVATE SCHOOLS - K-12 (See SCHOOLS AND SCHOOL DISTRICTS)****PRODUCTIVITY BOARD (See STATE EMPLOYEES)****PROMOTIONAL DRAWINGS (See GAMBLING)****PROPERTY TAXES (See TAXES - PERSONAL PROPERTY; TAXES - REAL PROPERTY)****PROSTITUTION (See CRIMES)****PSYCHOLOGISTS**

- Reports of abused dependent adults: SB 3060

**PUBLIC ACCOUNTANTS (See ACCOUNTANTS)****PUBLIC ASSISTANCE (See also MEDICAL ASSISTANCE)**

- AFDC recipients, community work and training: 2SHB 352
- Aid to families with dependent children, modifications: HB 735
- Bilingual services: SHB 352, 2SHB 352
- B&O tax credits for employers of recipients: HB 871
- Chore services by volunteers for low-level needs: 2SHB 352
- Chore services, eligibility modified: HB 352, SHB 352, 2SHB 352
- Community work and training for AFDC recipients: 2SHB 352
- DSHS powers regarding eligibility and assistance levels: HB 352, SHB 352, 2SHB 352
- Eligibility verification through bank accounts: HB 397
- Emergency assistance program, eligibility increased: HB 317
- Food stamps, workfare program participation required: HB 7
- General assistance eligibility for supplemental security income: HB 591
- Handicapped, utility rates reduced: HB 550
- Need standard, do not reduce due to presence in household of extra adult: HB 650
- Rent assistance by landlords receiving recipients money directly: HB 205, 2SSB 3104
- Rent due, welfare recipient tenant, collection procedures: HB 3
- Sewer and water rates, may be delayed or adjusted: \*HB 520, CH 198 (1983)
- Social security numbers used as identification system: HB 400
- Surplus salmon sales: HB 745, SB 3647
- Utility rates, low-income WUTC to adopt rules: SHB 550

**PUBLIC ASSISTANCE—cont.**

Utility rates, political subdivisions may reduce for low-income: SHB 550  
 Veteran's relief fund: HB 576, \*SHB 576, CH 295 (1983), SSB 4259  
 Workfare program, food stamp eligibility: HB 7

**PUBLIC BIDS (See also CONTRACTORS; GENERAL ADMINISTRATION; PUBLIC WORKS; and specific entity)****PUBLIC BROADCASTING**

Sunset report ..... p. 220  
 Sunset audit ..... p. 456

**PUBLIC BROADCASTING COMMISSION**

Commission membership modified: HB 744, 2SSB 3768  
 Electromagnetic spectrum, preserve for state benefit: HB 744, 2SSB 3768  
 Matching local funds for public television transmitters eliminated: SJM 118  
 Policy, growth and program diversity: HB 744, 2SSB 3768

**PUBLIC BUILDINGS (See BUILDINGS)****PUBLIC DEPOSITARIES (See FINANCIAL INSTITUTIONS)****PUBLIC DISCLOSURE (See also CAMPAIGNS; ELECTIONS)**

Ballot proposition committee: HB 800  
 Contributions, limitations apply to state executive and legislative offices: HB 800  
 Contributions over \$100, need an accompanying form: HB 154  
 Contributions over \$500, special reports: \*HB 150, CH 176 (1983)  
 County and local treasurers, filing requirements: \*SB 3142, CH 213 (1983)  
 Energy facility site evaluation council chairman: SSB 3259  
 Financial affairs statement, must file to appear on ballot: HB 355  
 Fund raising activities during legislative sessions regulated: HB 152, SHB 152  
 Fund raising prohibited during session: HB 247  
 Funds, transfer by candidates or committees, reporting requirements: \*HB 153, CH 96 (1983)  
 Funds, transfer to other candidates prohibited: HB 244  
 Hazardous wastes, records of handlers: HB 669  
 Honoraria by officials and employees: HB 149, SHB 149  
 Honorariums over \$250, legislators to report: HB 88  
 Job applications exempt: HB 899  
 Mailing lists: HB 931  
 Municipal purchasing: \*HB 74, CH 44 E1 (1983)  
 Officials and employees receiving honoraria, personal service contracts: HB 149, SHB 149  
 Operating agency executive boards must file reports: SSB 3259  
 Personnel files, employee access provided: HB 446  
 Political ad sponsor identification: HB 326  
 Public disclosure commission, sunset termination: HB 493, \*SHB 493, CH 197 (1983)  
 Records, computerized: HB 931  
 Records, personal and research, access procedures: HB 342, SHB 342  
 Reports, filed and indexed for ease of access: \*HB 569, CH 294 (1983)  
 Voter's pamphlet to contain campaign mailing addresses and telephone numbers: HB 699

**PUBLIC DISCLOSURE COMMISSION**

Otto Amen, member:  
 GA 78, confirmed ..... pp. 140, 1304, 1802, 1996, 2020  
 I. A. Tony Weza, member:  
 GA 86, confirmed ..... pp. 152, 1304, 1996, 2020

**PUBLIC EMPLOYEES (See CITIES; COUNTIES; STATE AND PUBLIC EMPLOYEES)****PUBLIC EMPLOYMENT RELATIONS COMMISSION**

Mary Ellen Krug, member:  
 GA 27, confirmed ..... pp. 26, 487, 1996, 2000

**PUBLIC HEALTH (See HEALTH CARE AND SERVICES)**



**PUBLIC HOSPITALS** (See HOSPITALS)**PUBLIC HOUSING** (See HOUSING)**PUBLIC LANDS** (See NATURAL RESOURCES, DEPARTMENT OF)**PUBLIC PRINTER**

Leland Blankenship: GA 2, confirmed ..... pp. 21, 108, 144  
 Supreme court and court of appeals reports: HB 378  
 Uniform state policy to be established: HB 378

**PUBLIC SCHOOLS** (See SCHOOLS AND SCHOOL DISTRICTS)**PUBLIC SERVICE COMPANIES** (See UTILITIES)**PUBLIC TRANSPORTATION** (See also ROADS AND HIGHWAYS)

Benefit area to include annexed and merged areas of local government: \*HB 534, CH 65 (1983), SB 3847  
 Benefit areas may designate treasurer: HB 540, \*SHB 540, CH 151 (1983)  
 Collective bargaining rights of transit employees: SHB 985  
 Conduct on buses: HB 538, SHB 538  
 Excursion service companies regulated: SSB 3758  
 Gasoline excise tax revenues may be used for public transportation: HJR 6  
 Local sales and use tax, 1/1/86, taxes collected will be subject to apportionment and distribution: HB 541  
 Motor vehicle excise tax, municipality authorized rate increased: HB 537  
 Motor vehicle excise tax revenue restrictions modified: HB 536  
 Public transportation account created: HB 775  
 Rail study on costs and benefits: \*HB 753, CH 303 (1983)  
 Railroad passenger service advisory committee: HB 758  
 Railroads, occupied caboose on class I freight trains: HB 135  
 Sales and use tax authority equalized: HB 535, SHB 535, SB 3834  
 School buses, axle requirements: SHB 1017  
 Undocumented vessels, limit exemptions: HJM 21

**PUBLIC UTILITIES** (See UTILITIES)**PUBLIC WORKS**

Construction, cost of construction factor bid limitations: HB 619  
 Liens, contracts to include provision to protect owner: HB 217  
 Nonperformance of contracts, remedies: HB 750  
 Planning and community affairs agency to prepare a comprehensive plan: \*SSB 3035, CH 231 (1983)  
 Public improvement boundaries for tax purposes: HJR 28, HJR 32, SSJR 119  
 Public improvement debts through ad valorem taxes: HJR 16  
 Public improvement financing, property tax increases: HJR 28, HJR 32, SSJR 119  
 Public works and improvements, bid if over \$50,000: HB 619  
 Small works roster, cities, bids under \$50,000: HB 619  
 Street improvements, city may assist property owner: HB 393, \*SHB 393, CH 103 (1983)

**PUGET SOUND**

Dungeness crab, need license endorsement: SB 3475  
 High technology in south Puget Sound: HB 565, SHB 565  
 Marine transportation benefit area authority: HB 464  
 Water quality authority established: \*SSB 3156, CH 243 (1983)

**PULLEN, SENATOR KENT**

Oath of office ..... p. 2  
 Appointed member institutions, parks and ecology and ways and means committees ..... p. 34  
 Point of order, cut-off date on SB 3760 ..... p. 919  
 Parliamentary inquiry, cut-off date on EHB 2 ..... p. 1294  
 Point of order, cut-off resolution EHB 653 ..... p. 1311  
 Point of order, conflict of rules SCR 125 ..... p. 1320  
 Parliamentary inquiry, procedure SB 3182 ..... p. 1372  
 Point of order, EHB 511 ..... p. 1390

**PULLEN, SENATOR KENT—cont.**

Point of order, order of motion ESHB 240	p. 1395
Parliamentary inquiry, rule to close debate	p. 1112
Parliamentary inquiry, cut-off SSB 3173	p. 897
Parliamentary inquiry, order of amendments	pp 162, 485
Parliamentary inquiry, votes received on SSB 3814	p. 755
Parliamentary inquiry, grammar on amendment to SB 4202	p. 798
Parliamentary inquiry, order of amendments on SB 4079	pp. 828, 829
Parliamentary inquiry, AG opinion on SB 3114	p. 874
Parliamentary inquiry for journal, disagreement with ruling on SB 3114	p. 876
Parliamentary inquiry, 10 o'clock rule	p. 1405
Parliamentary inquiry, rule 15, vote	p. 1405
Parliamentary inquiry, SSB 3434	p. 1530
Parliamentary inquiry, SSB 3520	p. 1534
Parliamentary inquiry, senate rules	p. 1710
Parliamentary inquiry, amendments to ESSB 4158	p. 1728
Parliamentary inquiry, roll call on SCR 126	p. 1737
Point of order, SSB 3520, scope and object	p. 1791
Point of order, SB 3520, scope and object	p. 1831
Point of order, order of business	p. 1833
Parliamentary inquiry, order of business	p. 2010
Point of order, scope and object conference report on ESSB 3434	p. 2293

**PURCHASES (See GENERAL ADMINISTRATION; specific entity)****QUIGG, SENATOR J. T.**

Appointed member, commerce and labor, energy and utilities and natural resources committees	p. 33
Parliamentary inquiry, 3-minute rule	p. 1795
Appointed interim committee member LBC	p. 2428

**RADIOACTIVE MATERIALS (See HAZARDOUS SUBSTANCES)****RAILROADS**

Caboose, occupied caboose on class I freight trains: HB 135
Crossings, reflectorized whistle post: HB 96
Crossings, revised regulation of signs for vision obstruction and warnings: HB 207, *SHB 207, CH 19 (1983)
Essential rail assistance account created: *HB 753, CH 303 (1983)
Milwaukee road, DNR controls, powers, duties: HB 727
Milwaukee road DNR responsibility, plan to be prepared: SSB 4251
Milwaukee road, multiple-use study, alternative site: HB 732
Milwaukee road, parks and recreation advisory committee to plan: HB 737
Milwaukee road, William O. Douglas trail: SHB 737
Passenger service advisory committee: HB 758
Pend Oreille railroad repair: SCR 119
Rail districts may be formed by counties: *HB 753, CH 303 (1983)
Railroad retirement solvency act of 1983, federal yes vote: HFR 52
Rights of way, all corridors to be used for transportation purposes: HB 376
Study on costs and benefits: *HB 753, CH 303 (1983)
Taxation and assessment, annual report due date extension: SB 3262
Warning lights on track motor car: HB 204
William O. Douglas trail: SHB 737
WSDOT to map all rights of way: HB 376

**RAPE (See CRIMES)****RASMUSSEN, SENATOR A. L. "SLIM"**

Oath of office	p. 2
Nominated and elected Vice President Pro Tempore	p. 5
Second nomination of Sid Snyder for Secretary of Senate	p. 6
Second nomination of Ole Scarpelli for Sgt. at Arms	p. 7

**RASMUSSEN, SENATOR A. L. "SLIM"—cont.**

Appointed member natural resources, parks and ecology, rules and state government committees	p. 34
Personal privilege, SFR 1983-4	p. 59
Remarks, quoting not reading	p. 535
Point of order, 3-minute rule	p. 539
Point of order, order of motions	p. 588
Point of order, SHB 393	p. 978
Personal privilege, receipt of personnel book from OFM	p. 1077
Remarks, vote on HJR 27	p. 1119
Point of order, what motion	p. 1276
Parliamentary inquiry, order of motion	p. 1372
Remarks, 10 o'clock rule	p. 1395
Point of order, ESB 3858	p. 1519
Point of order, ESB 3101	p. 1528
Point of order, SHB 139	p. 1576
Point of order, EHB 392	p. 1577
Remarks, signing of bills on last day of session	p. 1613
Parliamentary inquiry, signing bills after midnight	p. 1614
Point of order, suspension of rules	p. 1614
Point of order, suspension of senate rules	p. 1616
Point of order, senate rules	p. 1618
Point of order, signing SB 3182 after midnight	p. 1619
Parliamentary inquiry, rule 28	p. 1619
Point of order, beyond last day of session	p. 1620
Remarks, SFR 1983-67	p. 1631
Remarks, rule 50	p. 1658
Remarks, rules committee authority	p. 1658
Point of order, rule 50	p. 1658
Point of order, 60% vote	p. 1661
Point of order, bill properly before senate	p. 1703
Point of order, cut-off resolution	p. 1713
Point of order, SSB 3838 properly before senate	p. 1720
Point of order, 3-minute rule	p. 1795
Point of order, roll call ESSB 3766	p. 1829
Parliamentary inquiry, 60% vote required	p. 1889
Point of order, addressing Governor Cherberg	p. 1889
Parliamentary inquiry, conference report ESB 3858	p. 1982
Point of order, scope and object SSB 3434	p. 2009
Point of order, scope and object SSB 3434	p. 2010
Parliamentary inquiry, ESHB 240	p. 2011
Point of order, scope and object ESSB 3434	p. 2031
Parliamentary inquiry, free conference report ESSB 3434	p. 2345
Remarks, Governors proclamation	p. 2421
Appointed interim committee member municipal research council and legislative advisory committee on state government organization	p. 2428

**RAY, JAMES D.**

Member, board of trustees for eastern Washington university: GA 37	p. 28
-----------------------------------------------------------------------	-------

**REAL ESTATE (See REAL PROPERTY)****REAL PROPERTY (See also SECURITY INTERESTS)**

Agricultural district formation authorized: HB 690
Apartment sales, notice procedures: HB 860
Aquatic land leases: *SSB 3290, CH 2 E2 (1983)
Certificates of delinquency delay, unemployed persons: HB 736
Condemnation, attorney fees and costs: SB 3128
Condominium sales, notice procedures: HB 860
Conservation easements authorized: SB 3310
Conservation futures, certain holdings exempt from ad valorem taxation: HB 692
Conservation status, no penalty tax when classified: *HB 256, CH 41 (1983)

**REAL PROPERTY—cont.**

- Conveyances, taxation, additional tax, expiration date removed: HB 52
- Current use assessment, single family residences, vacant lots: HB 46
- Current use assessment, timber land: SSB 3504
- Current use valuation, additional tax upon reclassification: SB 3099
- Current use valuation for vacant lots and single family residences: HJR 20
- Easements, conservation: SB 3310
- Eminent domain, compensation modified: \*HB 183, CH 140 (1983)
- Execution and redemption: SSB 4111
- Farm and agricultural land valuation: HB 690
- Foreclosure, certificate of delinquency delay, unemployable persons: HB 736
- Home loans for veterans: HJR 15
- Homestead, execution and redemption: SSB 4111
- Homestead exemption increased to \$25,000: \*HB 428, CH 45 E1 (1983)
- Homestead partial property tax exemption: HJR 38
- Homestead, powers of attorney, executed separately or jointly: \*SB 3426, CH 251 (1983)
- Homesteads, exemption, filing requirements: HB 907
- Homesteads, value increased to \$30,000: SHB 521, SB 3447
- Homesteads, value increased to \$40,000: HB 521
- Landowner liability, recreational users of land or water: HB 755
- Leasehold excise tax, contract rent redefined: HB 770, HB 878
- Leases, contract rent and taxable rent redefined: HB 80
- Leases, excise tax, includes occupation by lessee in definition of leasehold interest: HB 80
- Leases, taxation, additional tax, expiration date removed: HB 52
- Local improvement assessments, lien foreclosure: HB 659
- Mortgages, mortgagee fails to release mortgage upon satisfaction: SB 3132
- Oil and gas exploration: HB 734, \*SSB 3483, CH 253 (1983)
- Public lands, DNR authorized to exchange: \*SSB 3614, CH 261 (1983)
- Real estate broker compensation agreement, form requirements: HB 599
- Real estate brokers and salesmen, violation of law triggers consumer protection act: HB 599, HB 600
- Real estate commission membership increased to include consumers: HB 599, HB 604
- Real estate contract vendor's interest, not available to satisfy judgment: \*HB 28, CH 45 E1 (1983)
- Real estate conveyance consumer protection without cost act: HB 602
- Real estate forms to state commissions are negotiable: HB 603, SHB 603
- Real estate salesman license, education course required: HB 22, SHB 22
- Real estate salesmen and brokers, disclosure of whether representing seller or buyer: HB 506, SHB 506
- Real estate salesmen and brokers, examination contents: HB 506, SHB 506
- Real estate signs, temporary signs do not violate highway visual quality laws: HB 17
- Rental of tax exempt property authorized if incidental: HB 625
- State agency transfer of property to private sector: SHB 1050
- State-owned, excess or surplus sold: HB 845
- Tax exempt, incidental rental authorized: HB 625
- Timeshare regulation: HB 927, \*SB 3188, CH 22 E1 (1983)
- Trusts, no conveyance, sale or disposition without beneficiary notice: HB 523
- Valuation, restricting increases in revaluation: HB 60
- Veteran's home loan financing program established: HB 186

**REAL PROPERTY TAXES (See TAXES - REAL PROPERTY)****REBATES (See SALES)****RECYCLING (See CONSERVATION)****REDISTRICTING (See CONGRESS)****REDISTRICTING COMMISSION**

Pete Francis, appointed by Democratic caucus . . . . . p. 299

**REDISTRICTING COMMISSION—cont.**

Ron Dunlap, appointed by Republican caucus . . . . . p. 299

**REGIONAL POWER COUNCIL (See ENERGY)****RELIGION**

Compulsory school attendance exemption: HB 705

Educational ministry, children may attend instead of public schools: HB 516

Industrial insurance coverage revised: HB 808

Iranian persecution of Bahai faith condemned: HFR 99

Liquor licenses, church proximity consideration removed: \*SSB 3101, CH 160  
(1983)

**RENEWABLE RESOURCES (See CONSERVATION; ENERGY)****RENT AND RENTALS**

Abandoned premises, landlord's remedies: HB 339, HB 499

Apartment sales, notice procedures: HB 860

Arbitration for landlord tenant disputes: HB 499

Checklist of conditions: HB 499

Default, seizure of personal property: \*SSB 3640, CH 264 (1983)

Deposit procedures, checklist required: \*SSB 3640, CH 264 (1983)

Deposits, if required, lease or rental agreement to be in writing: HB 499

Deposits, refund procedures: HB 499

Eviction procedures: \*SSB 3640, CH 264 (1983)

Landlord rent assistance, public assistance recipient money: HB 205, 2SSB 3104

Leasehold excise tax, contract rent redefined: HB 770, HB 878

Notice provisions, nonpayment of rent, court registry: \*SSB 3640, CH 264 (1983)

Residential, rent due, welfare recipient tenant, collection procedures: HB 3

Tax exempt property, incidental rental authorized: HB 625

Taxable rent in relation to leasehold interests defined: HB 80

Uninhabitable dwellings, enforcement procedures: HB 939

Unlawful detainer, criminal penalties: \*SSB 3640, CH 264 (1983)

**RESIDENTIAL BUILDINGS (See BUILDINGS; HOUSING).****RESTAURANTS**

Substitution of food products by food service establishment regulated: HB 608,  
SHB 608

**RETAIL INSTALLMENT SALES (See SALES)****RETIREMENT COMMUNITIES (See ELDERLY)****RETIREMENT SYSTEMS (See PENSIONS)****REVENUE, DEPARTMENT OF**

Donald R. Burrows, director: GA 3, confirmed . . . . . pp. 21, 139

Annual state budget required: HB 527

Cigarette tax stamp compensation changed: HB 788

County sales and use tax equalization account, government price index for distribution: HB 263, \*SHB 263, CH 99 (1983)

Government price index, county sales and use tax equalization account: HB 263,  
\*SHB 263, CH 99 (1983)

Industrial development authority established: HB 590

Inventory tax phaseout, property tax relief: SHB 466

Manufacturing businesses, hazardous wastes regulated: HB 712, \*SHB 712, CH 65  
E1 (1983), 2SSB 3722

MIA's, refunding inheritance taxes paid on estates: HB 598

Obsolete funds and accounts abolished: HB 325, \*SHB 325, CH 189 (1983)

Revenue, not to exceed 50% of the average personal income growth: HJR 40

Tax deferrals for new construction and equipment: HB 108

Uniform unclaimed property act enacted: HB 179, \*SHB 179, CH 179 (1983)

**ROADS AND HIGHWAYS (See also PUBLIC WORKS)**

Bicycle transportation committee established: HB 375

Bridges to be designed to accommodate bicycles: HB 375

**ROADS AND HIGHWAYS—cont.**

- Condemnation cases for highways have court priority: \*HB 183, CH 140 (1983)  
 County road administration board, sunset termination: HB 589  
 County road improvement district formation alternative: HB 911  
 County road tax revenues, use: HB 11  
 Ditches, regulation of across highways, sunset termination: HB 493, \*SHB 493, CH 197 (1983)  
 Evergreen safety council, safety training and research association endorsed: HFR 88  
 Flood damage, expediting repairs by modifying EIS requirements: HB 182  
 Grant county arterial highway construction: SSB 4055  
 Irrigation districts may provide street lighting: SSB 3868  
 Maintenance, motor vehicle fund distribution: \*HB 285, CH 43 (1983)  
 Model traffic ordinance updated: \*HB 216, CH 30 (1983)  
 Motor vehicle fund distribution, maintenance of city streets, state aid approval: \*HB 285, CH 43 (1983)  
 Multilane highways, keep right except to pass: HB 799  
 Multistate highway transportation agreement: \*SB 3282, CH 82 (1983)  
 R.C. Bremmer Bridges, I-182, Yakima River: HFR 86  
 Rural arterial program: HB 235, \*SHB 235, CH 49 E1 (1983), HB 773  
 Service districts for funding capital and maintenance costs for facilities and roads: SSB 3161  
 Service districts for funding capital and maintenance costs for facilities and roads: \*SSB 3161, CH 130 (1983)  
 State route 21, Kahlotus to Lind: HB 45, \*SB 3165, CH 79 (1983)  
 State route 530, to Rockport: HB 172, \*SB 3167, CH 131 (1983)  
 State routes revised, 12, 109, 291, 251: \*HB 185, CH 180 (1983)  
 Street improvement latecomer fees: \*SSB 3094, CH 126 (1983)  
 Street improvements, city may assist property owner: HB 393, \*SHB 393, CH 103 (1983)  
 Street vacation, salt or fresh water: HB 820  
 Urban arterial trust account: HB 826

**RICHMOND, CHESTER A.**

- Member, board of pilotage commissioners:  
 GA 83, confirmed ..... pp. 151, 255, 296

**RICHARDSON, NORMAN F.**

- Member, state game commission:  
 GA 99, confirmed ..... pp. 580, 939, 1996, 2022

**RICHMOND, THE HONOURABLE CLAUDE**

- British Columbia legislator introduced and addressed  
 senate ..... p. 125

**RINEHART, SENATOR NITA**

- Oath of office ..... p. 2  
 Appointed member education, rules, state government and  
 ways and means committees ..... p. 33  
 Appointed interim committee member legislative advisory  
 committee on state government organization ..... p. 2429

**ROBERTS, MABEL E. "MICKEY"**

- Member, board of trustees for Whatcom community college  
 district no. 21: GA 80 ..... pp. 147, 2306

**ROOMING HOUSES (See BOARDING HOMES: HOTEL-MOTEL)****RULE OF CONSTRUCTION (See CODE REVISER)****RULINGS BY THE PRESIDENT (See also POINTS OF ORDER AND PARLIAMENTARY INQUIRIES)**

- Amendments beyond scope  
 and object . . . pp. 497, 503, 654, 664, 745, 841, 843, 1063, 1078, 1126, 1277, 1368,  
 1390, 1455, 1526, 1574, 1646, 1647, 1681, 1784, 1806, 1831, 1860, 1974

**RULINGS BY THE PRESIDENT—cont.**

Amendments within scope and object . . . . .	pp. 822, 826, 1305, 1387, 1407, 1572, 1573, 1661, 1721, 1801, 1815, 1983
Reply to cut-off on SB 4141 . . . . .	p. 730
Reply to parliamentary procedure SB 4079 . . . . .	p. 829
Reply to ESSB 3608 properly before senate . . . . .	p. 930
Reply to SSB 3880 considered . . . . .	p. 932
HJR 27 – rules committee . . . . .	p. 1120
Motion ruled properly before senate . . . . .	p. 1267
Reconsideration ruled the proper motion . . . . .	p. 1267
Suspension of rules SHB 117 . . . . .	p. 1280
Senate rules – HB 72 . . . . .	p. 1306
EHB 653 properly before senate . . . . .	p. 1311
EHB 392 not properly before senate . . . . .	p. 1579
Rule 50 cited . . . . .	p. 1658
60% vote on ESSB 3434 . . . . .	p. 1661
ESB 3605 ruled out of order . . . . .	p. 1721
ESB 4089 ruled out of order . . . . .	p. 1722
SB 3981 ruled out of order . . . . .	p. 1729
SB 3838 ruled properly before senate . . . . .	p. 1774
Ruling, appeal of the chair, Senator Guess . . . . .	p. 1775
ESSB 3273 properly before senate . . . . .	p. 1780
ESHB 796 properly before senate . . . . .	p. 1813
SB 3850 properly before senate . . . . .	p. 1814

**RULINGS BY THE PRESIDENT PRO TEMPORE (See also POINTS OF ORDER AND PARLIAMENTARY INQUIRIES)**

Amendments beyond scope and object . . . . .	pp. 922, 980, 1295, 1553
Point of order, joint rules . . . . .	p. 325
60% majority not needed SB 3114 . . . . .	p. 874
Amendment not in order SSB 3206 . . . . .	p. 881
Amendment in order . . . . .	p. 881
Amendment to SSB 3206 . . . . .	p. 881
SB 3760 properly before senate . . . . .	p. 919
Proper order of business . . . . .	p. 1294
SSB 3628 properly before senate . . . . .	p. 1701
SSB 3248 properly before senate . . . . .	p. 1708
ESSB 3163 properly before senate . . . . .	p. 1708
SSB 3982 properly before senate . . . . .	p. 1719
SSB 3838 properly before senate . . . . .	p. 1720
SSB 3181 properly before senate . . . . .	p. 1750

**RUNSTAD, ADAIR F.**

Member, board of trustees for Walla Walla community college district no. 20: GA 60 . . . . .	p. 32
-------------------------------------------------------------------------------------------------	-------

**SAFE DEPOSIT COMPANIES**

Rent due, notice procedures: *HB 479, CH 289 (1983)
-----------------------------------------------------

**SAFETY**

Evergreen safety council, safety training and research association endorsed: HFR 88
Fishing guide license, CPR and first aid required: HB 502
Hazardous substances, employer duties: HB 863, SHB 863
Hot water heater thermostat setback: HB 177, *SHB 177, CH 178 (1983), SSB 3277
Hunting guide license, CPR and first aid required: HB 502
Radiation and pressure systems safety: HB 731
Railroad track motor car yellow or orange flashing warning light: HB 204
School buildings, earthquake inspections: HB 680
Seat belts, children: HB 66, *SB 3203, CH 215 (1983)
Smoking in public areas restricted: HB 229
Transient accommodations, repeals laws except fire marshal rulemaking author- ity: HB 273

**SALARIES** (See specific class)**SALES** (See also TAXES - SALES)

- Agricultural products, regulation, bonds, liens: \*SHB 793, CH 305 (1983)
- Contract reformation to reduce payments: HB 754
- Horses, special open consignment horse sale defined: \*HB 653, CH 298 (1983)
- Livestock markets do not include open consignment horse sale: \*HB 653, CH 298 (1983)
- Livestock markets, exceptions: \*HB 653, CH 298 (1983)
- Retail installment contract or charge agreement, reformation: HB 754
- Retail installment contracts, does not include consumer lease: HB 92, \*SSB 3299, CH 158 (1983)
- Selling price may include tax if buyer notified: HB 614
- Tax collection, seller to be compensated: HB 525
- Timeshare regulation: HB 927, \*SB 3188, CH 22 E1 (1983)
- Trade in allowance, deducted from sales price: HB 191
- Travel regulated: HB 828

**SALMON** (See FISHERIES, DEPARTMENT OF)**SAVINGS AND LOAN ASSOCIATIONS** (See also FINANCIAL INSTITUTIONS)

- Examination fund: \*SB 3182, CH 157 (1983)
- Financial institutions department created: HB 676
- Names, expanding list of permissible names: \*HB 274, CH 42 (1983)
- Powers of savings banks given to savings and loan associations: HB 277
- Public assistance, bank account check by social security number: HB 397
- Residential financing, public pension guarantee fund to provide money: HB 267
- Savings account, 10% interest withheld, eliminate: SJM 104
- Savings banks given powers of savings and loan associations: HB 276
- Uniform unclaimed property act enacted: HB 179, \*SHB 179, CH 179 (1983)

**SAVINGS BANKS** (See BANKS AND BANKING)**SCARPELLI, ORLANDO** (See SERGEANT AT ARMS)

- Nominated and elected sergeant at arms ..... p. 7

**SCHOENFIELD, BEVERLY A.**

- Member, board of trustees, Green River community college  
district 10: GA 50, confirmed ..... pp. 30, 481, 600

**SCHOOLS AND SCHOOL DISTRICTS**

- Advisory council on public education: HB 876
- Alcohol and drug abuse education: SB 4237
- Alcohol and drug education, to be stressed: HB 681, SHB 681
- Alcohol awareness program funded by penalty assessments: SSB 3617
- Alternative school educational clinic: HB 514
- Appropriation penalty continued: HB 961
- Attendance, compulsory age, lowered to 6, increased to 17: HB 492
- Attendance compulsory unless a parent or pregnant: HB 492
- Attendance to schools close to home, repealed: HB 145
- Basic education in science computer, and math: HB 956
- Bilingual instruction, proficiency in English, special instruction: HB 67
- B&O tax credit for employing math teachers: HB 807, SHB 807
- Bonds, plant facility construction and modernization: HB 427
- Bonds, private school may put up surety bond versus cash advance for joint purchases: HB 347, \*SB 3089, CH 125 (1983)
- Budgets, warrants reviewed by superintendent and auditor: HB 374
- Buses, axle requirements: SHB 1017
- Capital projects fund, building fund: HB 148, \*SHB 148, CH 59 (1983)
- Categorical programs, specific designation when appropriations made: SB 4093
- Closure procedures: HB 719, \*SHB 719, CH 109 (1983)
- Common school building bond redemption fund created: HB 427
- Common school construction fund, funds transferred from resource management account: HB 470, \*SHB 470, CH 17 E1 (1983)



## SCHOOLS AND SCHOOL DISTRICTS—cont.

- Community service districts: HB 461
- Computers, donated to schools, use tax exemption: \*SHB 72, CH 55 E1 (1983)
- Contact hour requirements revised: \*SB 4103, CH 229 (1983)
- Curriculum improvement: HFR 56
- Debt service fund: HB 148, \*SHB 148, CH 59 (1983)
- Directors' association, audits: \*HB 300, CH 187 (1983)
- Directors' association, dues, delinquent procedure modified: \*HB 300, CH 187 (1983)
- Directors association dues, provisions for payment: HB 938
- Director's association may use state motor pool: \*HB 300, CH 187 (1983)
- Directors' association, powers: \*HB 300, CH 187 (1983)
- Districts large divided into small, voila: HB 822
- Donations, B&O tax credits: HB 948
- Drunk driver enforcement impact account: SHB 983
- Earthquake inspections: HB 680
- Educational ministry, children may attend instead of public schools: HB 516
- Educational service districts, authority altered: \*HB 106, CH 56 (1983)
- Educational service districts, fund allocation powers modified: \*HB 106, CH 56 (1983)
- Employees, hearings for lay-offs due to a reduction in force: \*SB 3364, CH 83 (1983)
- Fees, fines, forfeitures, procedures for remittance to state treasurer: HB 510
- Food purchased for public school lunch programs, retail sales and use tax eliminated: SB 3015
- Four day work week pilot project: HB 733
- Handicapped children, pre-school education provided: HB 168
- Handicapped education eligibility modified: HB 196
- Handicapped, specially designed instruction: HB 633
- Handicapped training programs for children under 3: HB 196
- Hygiene, failure to teach, penalties removed: HB 145
- Immunization procedures: HB 145
- Joint purchasing agencies, private school purchases, surety bond as alternative to cash advance: HB 347, \*SB 3089, CH 125 (1983)
- Juveniles confined in detention facilities, education programs: HB 241, \*SHB 241, CH 98 (1983)
- Lay-offs, time of hearings due to a reduction in force: \*SB 3364, CH 83 (1983)
- Legislature has duty to fund sufficiently: HJR 33
- Levies, excess, simple majority required: HB 774, HJR 18, HJR 31
- Levies, excess, 3/5ths majority required: SHB 439, SHJR 29
- Levies, excess, 40% validation requirement removed: HB 439; HJR 29, SHJR 29
- Levies, tax limit modified: HJR 33
- Librarian certification: HB 169
- Loans for college students for math and science education: \*2SSB 4102, CH 74 E1 (1983)
- Lottery proceeds: HB 616
- Martin Luther King birthday, state and school holiday: HB 69
- Math and science, donations, B&O tax credit: HB 948
- Math and science, recommended state course of study: HB 954, SHB 954
- Math and science, teacher loans: HB 951
- Math and science teachers, college loans: \*2SSB 4102, CH 74 E1 (1983)
- Math and science teachers, tax credit for hiring: HB 807, SHB 807
- Math, science, and computer science, basic education requirements: HB 956
- Math, science, computer science, gifted students, summer: HB 962
- Math, science, computer science, matching funds: HB 949
- Math, science, computer science, proposed appropriations: HB 946
- Math, science, computer science, summer program: HB 852
- Mental health primary prevention projects: HB 221
- Nursery schools, preschools, kindergartens, safety regulation waiver: SSB 3739
- Part-time, teachers' retirement, calculation of fractional service credit: HB 481
- Pesticide application notice: HB 885

**SCHOOLS AND SCHOOL DISTRICTS—cont.**

- Physical education requirement removed: HB 145  
 Private schools, joint purchasing agency, school may put up surety bond versus cash advance: HB 347, \*SB 3089, CH 125 (1983)  
 Private schools, teacher registration: \*HB 106, CH 56 (1983)  
 Public education advancement council, public schools and industry: HB 947  
 Public retirement, \$.67 increase for each year of creditable service: HB 51  
 Public retirement, \$.74 increase for each year of creditable service: \*SHB 51, CH 56 E1 (1983), HB 495, SHB 495, SB 3910  
 Reduction in force, lay-off hearings: \*SB 3364, CH 83 (1983)  
 Religious beliefs exempt compulsory attendance: HB 705  
 Reports of abused dependent adults: SB 3060  
 Residential school residents, return to community, hearing: HB 634  
 Retirement system, service period computation modified: HB 16, \*SHB 16, CH 69 (1983), SSB 3062  
 Revenue and budgeting method changes: HB 148, \*SHB 148, CH 59 (1983)  
 Salary increases, increases above statutory levels: HB 21  
 Self-insurance authorized for groups of two or more: \*HB 107, CH 174 (1983)  
 Sick leave, accumulated, certain provisions removed: HB 145  
 Sick leave buy-back program: \*SSB 3880, CH 275 (1983)  
 State-wide data network, success and deficiencies: HB 953  
 Tax deferred annuity contracts: HB 613  
 Taxes, B&O and sales, exempt: HB 529, HB 805  
 Teacher contact hour requirements revised: \*SB 4103, CH 229 (1983)  
 Teacher, education, math, science, foreign language, requirements: HB 950  
 Teacher education, reimbursement for college classes: SHB 1016  
 Teacher education upgrade: HFR 58  
 Teacher training, pilot project, compensate supervisors of prospective teachers: SHB 876  
 Teachers in private schools, registration requirements: \*HB 106, CH 56 (1983)  
 Teaching assignment, area of competency: HFR 55  
 Temporary committee on educational policies, structure, and management, deadline extended: \*HB 430, CH 105 (1983)  
 Time of payment of appropriations, apportionment schedule: \*SB 3096, CH 14 (1983)  
 Transportation, all students entitled to transportation: HB 296, \*SHB 296, CH 61 E1 (1983)  
 Transportation cost reimbursement revised: HB 145  
 Transportation criteria defined: \*SHB 296, CH 61 E1 (1983)  
 Transportation vehicle reserve: HB 148  
 Truant school children, policy and procedures: HB 282, SHB 282  
 Vocational agriculture program: \*HB 570, CH 34 E1 (1983)  
 Warrants, budget review by superintendent and auditor: HB 374

**SCIENCE (See TECHNOLOGY)****SEAT BELTS (See MOTOR VEHICLES)****SEATTLE**

- Port study and review commission, effective cost and rate control program: HB 415

**SEATTLE COMMUNITY COLLEGE DISTRICT NO. 6, BOARD OF TRUSTEES**

- Tomio Moriguchi, member: GA 73 ..... pp. 46, 2306

**SEATTLE FIRST NATIONAL BANK (See BANKS)****SEATTLE INTERNATIONAL RACEWAY**

- Alcohol may not be brought into auto race parks: \*SSB 3101, CH 160 (1983)

**SECRETARY OF THE SENATE**

- Sid Snyder, nominated and elected ..... p. 6

**SECRETARY OF STATE (See also ELECTIONS)**

- Certification of election ..... p. 19  
 Transmitting governor's proclamation convening special session ..... p. 2433

**SECRETARY OF STATE—cont.**

- Charitable solicitations, registration and disclosure: HB 553, \*SSB 3642, CH 265 (1983)
- Citizen assessment and public information division created: HB 672
- Partnerships, uniform limited, act revised: \*HB 747, CH 302 (1983)
- Public records, how state retrieves illegally held records: SHB 478
- Public records, state archivist's duties: HB 478, SB 3588
- Salary increase: HB 50, SHB 50
- Seal of the state of Washington, unauthorized uses: HB 551, SHB 551
- State archivist may get a search warrant for public records: HB 478
- State archivist, may retrieve illegally held records: HB 478
- State archivist, rule adoption and technical standards: HB 473, \*SB 3588, CH 84 (1983)
- Trade names, regulated: SSB 3158
- Uniform limited partnership act revised: \*HB 747, CH 302 (1983)
- Voting by mail procedures regulated: HB 240, \*SHB 240, CH 71 E1 (1983)

**SECURITIES (See INVESTMENTS AND SECURITIES)****SECURITY GUARDS (See INVESTIGATORS AND SECURITY)****SECURITY INTERESTS**

- Agricultural products: HB 457
- Agricultural products: \*SHB 793, CH 305 (1983)
- Attachment and execution of personal property, exempt amount increased: SB 3408
- Automobile repairs estimate alternatives, liens, parts: HB 489
- Chattel liens, 90 days to file: \*HB 487, CH 33 (1983)
- Crops, priority established: HB 543
- Execution and redemption, personal property, real property: SSB 4111
- Local improvement assessments, lien foreclosure: HB 659
- Mechanics/materialmen liens, protect subcontractors and claimants: HB 914
- Pawn brokers: SSB 4090
- Public works contracts to include lien for protection of owner: HB 217

**SELF-INSURERS (See LABOR AND INDUSTRIES, DEPARTMENT OF)****SELLAR, SENATOR GEORGE L.**

- Second nomination of Ole Scarpelli for Sgt. at Arms ..... p. 7
- Appointed member, commerce and labor, financial institutions, rules and transportation committees ..... p. 33
- Parliamentary inquiry, question 60% majority vote: SB 3100 ..... p. 208
- Introduced apple blossom festival royalty ..... p. 607
- Parliamentary inquiry, order of motions ..... p. 1266
- Point of order, SB 3182 ..... p. 1368
- Appointed interim committee member joint legislative ethics board, oversight committee on fire protection, legislative transportation committee ..... pp. 2428, 2429
- Remarks, SB 4279 ..... p. 2436
- Remarks, mourning Senator Henry M. Jackson ..... p. 2439

**SEMERAD, DAVID C.**

- Member of the commission for vocational education: GA 64 ..... p. 33

**SEMINARS (See EDUCATION)****SENIOR CITIZENS (See ELDERLY)****SENTENCING (See PRISON TERMS AND PAROLE)****SENTENCING GUIDELINES COMMISSION**

- Manuel C. Costa, member:
  - GA 30, confirmed ..... pp. 26, 1303, 1996, 2012
- Chief Arthur F. Clifford, member:
  - GA 31, confirmed ..... pp. 26, 1303, 1996, 2012
- George A. Finkle, member:
  - GA 32, confirmed ..... pp. 27, 1303, 1996, 2019

**SENTENCING GUIDELINES COMMISSION—cont.**

Paul D. Hansen, member:

GA 33, confirmed . . . . . pp. 27, 1304, 1996, 2019

Warren Netherland, member:

GA 34, confirmed . . . . . pp. 27, 1304, 1996, 2019

**SEPA (See ECOLOGY, DEPARTMENT OF)****SERGEANT AT ARMS**

Orlando Scarpelli, nominated and elected . . . . . p. 7

**SEWER DISTRICTS**

Contracting procedures, increases award amount for small works roster: \*HB 78, CH 38 (1983)

Electric generation by municipal corporations: HB 710

Formation alternative, petition by property owners: \*HB 36, CH 88 (1983)

Hook up fees, cities may charge property owners equitable share: HB 79, SHB 79

Low-income rates, may delay, adjust, eliminate: \*HB 520, CH 198 (1983)

Metropolitan municipal corporation representation increased: \*HB 87, CH 92 (1983)

Small works roster contracting limits: \*HB 78, CH 38 (1983)

Special purpose districts, implied and expressly granted powers: HB 728

Storm water control facilities, public entities to pay rates and charges: \*SHB 1093, CH 315 (1983)

Storm water facilities, state to pay rates and charges if rates established: HB 601

Treasurers, may be appointed by district commissioners: \*HB 111, CH 57 (1983)

**SEX CRIMES (See CRIMES)****SEX DISCRIMINATION (See DISCRIMINATION)****SEXUAL ABUSE (See CRIMES)****SEXUAL ORIENTATION (See DISCRIMINATION)****SEXUAL PSYCHOPATH (See MENTAL HEALTH)****SHAW, W. DAVID**

Member, board of trustees for Columbia Basin community college district no. 19: GA 59 . . . . . p. 32

**SHEEP (See LIVESTOCK)****SHELLFISH (See FISHERIES, DEPARTMENT OF)****SHELTERS - WORKSHOPS AND HOUSING**

Contracting with, B&amp;O tax credit: HB 849

Developmentally disabled, parent participation in care and training modifies assistance eligibility: \*HB 905, CH 310, (1983)

Emergency care facilities for minors: HB 829

Family as cornerstone of society: HB 573

Foster care for developmentally disabled, court review: HB 906, \*SHB 906, CH 311 (1983)

Foster care, group homes, goals: HB 573

Long-term health care, ombudsman program: \*SHB 484, CH 290 (1983)

Ombudsmen program, long-term health care facilities: HB 484, \*SHB 484, CH 290 (1983)

Tax exempt, personal and real property: HB 656, SB 3438

Tax exempt, shelter for indigent homeless persons: \*SHB 72, CH 55 E1 (1983)

**SHERWOOD, CAMERON**

Member, personnel appeals board: GA 103, confirmed . . . pp. 595, 924, 1996, 2133

**SHINPOCH, SENATOR A. N. "BUD"**

Appointed member, commerce and labor, natural resources, rules and ways and means committees . . . . . p. 33

Parliamentary inquiry, SSB 3978 amendments . . . . . p. 690

Parliamentary inquiry, 3 minute rule . . . . . p. 734

Point of order, HB 256 . . . . . p. 922

**SHINPOCH, SENATOR A. N. "BUD"—cont.**

Point of order, HB 72	p. 1303
Point of order, ESHB 278	p. 1406
Point of order, SB 3838	p. 1775
Point of order, 3 minute rule	p. 1795
Remarks, SB 3910	p. 2022
Point of order, order of business	p. 2388
Appointed interim committee member LBC and LEAP	p. 2428

**SHIPS (See BOATS; NAVIGATION)****SHORELANDS (See NATURAL RESOURCES, DEPARTMENT OF)****SHORELINE COMMUNITY COLLEGE DISTRICT NO. 7, BOARD OF TRUSTEES**

Cherry L. Jarvis, member: GA 47, confirmed	pp. 29, 481, 600
Cherry A. McGee Banks, member: GA 93	pp. 430, 2306

**SHORELINE MANAGEMENT**

Dunelands: HB 486, HB 685, SHB 685
Hearings, judicial review, adjustments: HB 486, SHB 486, HB 685, SHB 685
Master program procedures modified: HB 486, SHB 486, HB 685, SHB 685
MT. ST. Helens: HB 358, *SB 3519, CH 1, E1 (1983)
Nisqually river basin: HCR 14
Substantial development redefined: HB 486, HB 685, SHB 685
Transferred to business license center: HB 70
Violations, procedures: HB 486, HB 685, SHB 685

**SHRIMP (See FISHERIES, DEPARTMENT OF)****SICKLE CELL ANEMIA (See HEALTH CARE AND SERVICES)****SIGNS**

Railroad crossings, may not erect billboard that obstructs vision: HB 207, *SHB 207, CH 19 (1983)
Real estate, temporary signs do not violate visual quality laws: HB 17

**SKAGIT COMMUNITY COLLEGE DISTRICT NO. 4, BOARD OF TRUSTEES**

James E. Anderson, member: GA 44, confirmed	pp. 29, 480, 599
---------------------------------------------	------------------

**SKAGIT COUNTY**

Flooding disaster areas, asking President to give federal assistance: HJM 9
-----------------------------------------------------------------------------

**SMALL CLAIMS COURT (See COURTS)****SMALL HYDRO (See ENERGY)****SMALL WORKS ROSTER**

Cities, bids under \$50,000: HB 619
Sewer districts contracting procedures: *HB 78, CH 38 (1983)
Water districts contracting procedures: *HB 78, CH 38 (1983)

**SMOKING**

Cigarettes, excise tax proceeds to DSHS for research: SB 3309
Smoking in public areas restricted: HB 229

**SNOHOMISH COUNTY**

Community economic revitalization, board loan limitations: HB 245, SHB 245, *2SHB 245, CH 60 E1 (1983)
--------------------------------------------------------------------------------------------------------

**SNOWMOBILES (See MOTOR VEHICLES)****SNYDER, SID (SEE ALSO SECRETARY OF THE SENATE)**

Nominated, elected and oath administered	p. 6
------------------------------------------	------

**SOCIAL AND HEALTH SERVICES, DEPARTMENT OF (See also MEDICAL ASSISTANCE; PUBLIC ASSISTANCE)**

Abuse of hospital and nursing home patients, restraining order: HB 346, SHB 346, *SSB 3660, CH 269 (1983)
Advisory committee membership modified, duties enlarged: HB 346

**SOCIAL AND HEALTH SERVICES, DEPARTMENT OF—cont.**

- Advisory committee sunset termination: HB 346
- Aid to families with dependent children, modifications: HB 735
- Alcohol and drug treatment programs for offenders: HB 763
- Alcohol information school: \*SHB 498, CH 150 (1983)
- Alcohol problems, serious, drunk driving: SSB 3382
- Alcoholism hospital not health care facility, board of health: \*SSB 3660, CH 41 E1 (1983)
- Child abuse, police officer to take child into custody: \*SSB 3253, CH 246 (1983)
- Child support due, dissolution, DSHS may collect indebtedness, conditions: HB 345
- Child support, injunctions may be entered to modify existing decree: SHB 345
- Child support, owe public assistance, procedures: SHB 345
- Children and family services act, avoid out-of-home placement: HB 433, \*SHB 433, CH 192 (1983)
- Chore services, insurance to cover: \*SSB 3308, CH 249 (1983)
- Criminal justice cost reimbursements for crimes committed: \*SSB 4135, CH 279 (1983)
- Criminally insane, escape, notice to law enforcement and appropriate persons: \*SSB 3043, CH 122 (1983)
- Criminally insane, furlough, notice to law enforcement 48 hours before: \*SSB 3043, CH 122 (1983)
- Custody, interference with is a gross misdemeanor: SSB 3387
- Day care registration: HB 350, SSB 3739
- Deaths, list of those over 18 who have died: HB 90, \*HB 741, CH 110 (1983)
- Dependent adults, reports of abuse: SB 3060
- Developmental disability to include autism: HB 346, SHB 346, \*SSB 3660, CH 269 (1983)
- Developmentally disabled habilitative services: \*HB 270, CH 145 (1983)
- Developmentally disabled, parent participation in care and training modifies assistance eligibility: \*HB 905, CH 310 (1983)
- Emergency assistance program, eligibility increased: HB 317
- Employment stabilization, employers give one year notice prior to layoffs: HB 694
- Family as cornerstone of society: HB 573
- Financial responsibility act: HB 343
- Foster care for developmentally disabled, court review: HB 906, \*SHB 906, CH 311 (1983)
- Foster care, group homes, goals: HB 573
- Funds, transfers between programs: \*2SSB 3100, CH 12 (1983)
- Group fishing permits for facility residents: SB 3379
- Handicapped, advise annually of alternatives: HB 187, \*SHB 187, CH 60 (1983)
- Handicapped children, training program for parents and children: HB 168
- Handicapped parents, nonresidential services: SHB 187
- Health care facilities medicare reimbursement conditioned on social security participation: HJM 10
- Health duties: HB 509, SHB 509
- Home health care services, health insurance plans to cover: \*SSB 3308, CH 249 (1983)
- Hospices, insurance to provide coverage: \*SSB 3308, CH 249 (1983)
- Intensive alcohol treatment program for serious problems: HB 498, \*SHB 498, CH 150 (1983)
- Involuntary treatment, hospital reimbursement: HB 934
- Juvenile placement, appeals from decision: \*SSB 3380, CH 50 (1983)
- Juveniles confined in detention facilities, education programs: HB 241, \*SHB 241, CH 98 (1983)
- Juveniles, confinement costs, DSHS or county responsible depending on whose decision: HB 431
- Juveniles, financial recovery systems consolidated: HB 742, HB 811
- Long-term care services: HB 395
- Long-term health care, ombudsman program: \*SHB 484, CH 290 (1983)
- Medical record procedures: SHB 346
- Mental health insurance coverage by group plans: HB 281

**SOCIAL AND HEALTH SERVICES, DEPARTMENT OF—cont.**

- Mental health prevention projects for schools: HB 221
- Nursery schools, preschools, kindergartens, safety regulation waiver: SSB 3739
- Ombudsmen program, long-term health care facilities: HB 484, \*SHB 484, CH 290 (1983)
- Oyster farmers, certain exempt from DSHS licensing fees: HB 691
- Probation officer for intensive alcohol treatment program: HB 498, \*SHB 498, CH 150 (1983)
- Radioactive materials, transfer of duties to department of ecology studied: \*SSB 3273, CH 19 E1 (1983)
- Records, personal and research, access procedures: HB 342, SHB 342
- Regional crisis residential centers: HB 346
- Registrar, birth, death certificates, \$2 to death investigation account: HB 408, \*2SSB 3272, CH 16 E1 (1983)
- Residential school residents, return to community, hearing: HB 634
- Smoking in public areas restricted: HB 229
- Social security numbers used as identification system: HB 400
- Subpoena power: HB 346, SHB 346, \*SSB 3660, CH 269 (1983)
- Surplus salmon sales: HB 745, SB 3647
- Transfer of powers to department of ecology studied: \*SSB 3273, CH 19 E1 (1983)
- Vendors, interest on overpayments or erroneous payments: SHB 346, \*SSB 3660, CH 41 E1 (1983)
- Vital statistics, list of those 18 and over who have died: HB 90, \*HB 741, CH 110 (1983)
- Vital statistics, \$2 to death investigation account: HB 408
- Waste treatment plant certification: HB 485
- Water supply operators, certification changes: HB 548, \*SHB 548, CH 292 (1983), SSB 3395
- Work incentive demonstration project proposal: HB 897
- Workshops for institution residents: HB 346, SHB 346, \*SSB 3660, CH 269 (1983)

**SOCIAL SECURITY**

- DSHS to use number for identification system: HB 400
- OASI revolving fund: \*HB 223, CH 6 E1 (1983), SB 3314

**SOCIAL WORKERS**

- Certified social work examiners board: HB 743
- Child abuse, report, police officer takes child into custody: \*SSB 3253, CH 246 (1983)
- Licensing of professional counselors: HB 188
- Licensing scheme: HB 743
- Reports of abused dependent adults: SB 3060

**SOLID WASTE (See WASTE DISPOSAL)****SPECIAL ELECTIONS (See ELECTIONS)****SPECIAL PURPOSE DISTRICTS (See specific type)****SPELLMAN, GOVERNOR JOHN A. (SEE ALSO GOVERNOR)**

- State of state address ..... p. 35
- WPPSS report ..... p. 1807
- Proclamation convening special sessions ..... pp. 1611, 1629, 2389, 2393, 2433

**SPOKANE COMMUNITY COLLEGE DISTRICT 17, BOARD OF TRUSTEES**

- Dee McMillan, member: GA 56, confirmed ..... pp. 31, 482, 602
- Max J. (Jeff) Kuney II, member: GA 57 ..... p. 31

**SPORTS (See ATHLETICS)****ST. JOHN'S HOSPITAL - LONGVIEW, WASHINGTON**

- Sister Anne Hayes, administrator, introduced and offered morning prayer ..... p. 290

**ST. PATRICK'S DAY**

- Senator Hurley introduced Irish singer Patrick Woods ..... p. 644

**STABLEIN, RICHARD A.**

Executive director, data processing authority:

GA 104, confirmed . . . . . pp. 647, 924, 1996, 2138

**STADIUM DISTRICTS (See CONVENTION AND TRADE CENTERS)****STATE AGENCIES (See also STATE AND PUBLIC EMPLOYEES)**

Administrative proceedings, interpreters for non-English speaking background:

HB 460, \*SB 3501, CH 222 (1983)

Airplane use, procedures for use or purchase: SHB 406

Airplane use, WSDOT to lease, purchase, contract: HB 406

Annual program goals and objectives: \*HB 804, CH 306 (1983)

Annual state budget required: HB 527

Appropriations advisory council: HB 928

Bonds, registration of ownership: HB 390, \*SHB 390, CH 167 (1983)

Capital improvement bonds authorized: HB 57, \*SHB 57, CH 54 E1 (1983)

Commerce and community development department created: HB 796

Comparable worth in salary schedules: \*SSB 3248, CH 75 E1 (1983)

Comparable worth joint select committee: HFR 64

Computer-based economic analysis for cost-benefit analysis: SHB 406

Conservation corps established within many agencies: \*2SSB 3624, CH 40 E1 (1983)

Cost control task force: HB 740, \*SHB 740, CH 26 E1 (1983)

Crime, rewards for information may be offered: HB 671

Debt, limitation formula includes voter approved debt, exceptions: HB 54

Debts, cash flow trouble, borrow through issuance of certificates of indebtedness:

HB 325, \*SHB 325, CH 189 (1983)

Debts, limitation formula modified: \*HB 1082, CH 36 E1 (1983)

Economic and community development department created: SHB 796

Emergency funding, general fund repayment procedures: HB 406, SHB 406

Employment commission created, recruit effective work force: HB 651

Federal compliance only if there is an appropriation: HB 638

Federal management areas, citizens advisory commission: HB 886

Fees, fines, forfeitures, procedures for remittance to state treasurer: HB 510

Fire protection, may contract with cities for: \*HB 35, CH 87 (1983)

Flexible-time work schedules: HB 940

Gender-neutral language in all rules and publications: HB 321, \*SB 3613, CH 20 (1983)

Geographic names board established: \*SB 3843, CH 273 (1983)

Government organization, legislative advisory committee: SSCR 113

Hanford, state leased land, long-range plan: SSB 3152

Higher education facility authority, financing for private nonprofit institutions: \*SSB 3433, CH 169 (1983)

Higher education, payroll deductions authorized: HB 665

Honoraria received, reporting requirements: HB 149, SHB 149

Housing finance commission established: HB 254, SHB 254, \*2SSB 3245, CH 161 (1983)

Incentives, penalties, for excess spending: HB 836

Interlocal cooperation reimbursement money: HB 406

Interpreters for non-English speaking cultural background, administrative proceedings: HB 460, \*SB 3501, CH 222 (1983)

Labor-management relations act, avoid industrial strife: HB 782

Lending of credit for public purposes modified: SHJR 41

Lie detector tests as conditions of employment: HB 449

Management review, audits and evaluations: HB 864, SHB 864

Martin Luther King birthday, state and school holiday: HB 69

Mileage rates: HB 746

Mileage reimbursement not to exceed federal rate: \*SHB 127, CH 29 E1 (1983)

Minority and women-owned businesses, participation enhanced: HB 163, SHB 163, \*2SSB 3230, CH 120 (1983)

Open public meetings, covers committees of governing bodies: \*SSB 3206, CH 155 (1983)



## STATE AGENCIES—cont.

- Pay period, twice a month: HB 295, SHB 295, \*2SHB 295, CH 28 E1 (1983)
- Personal service contracts, purchasing conditions: HB 405
- Personal service contracts, reporting requirements: HB 149, SHB 149
- Personnel board authority given to agencies with exceptions: HB 792
- Plain language in state agency documents: HB 874
- Plain language in state statutes and rules, Flesch test: HB 875
- Political committee contributions, unlawful for labor union to require: HB 123
- Priority ranking of budget documents: HB 194
- Prison work programs, record storage and retrieval: HB 579, \*SHB 579, CH 296 (1983)
- Purchasing, adding premium to bids of out of state vendors with preferences: HB 232, \*SHB 232, CH 183 (1983), SB 3422
- Purchasing and material control policies, submit to legislature: HB 377
- Purchasing, contracted services, conditions: HB 405
- Purchasing, emergency procedures, limits: \*HB 208, CH 141 (1983), SB 3412
- Purchasing, outside continental USA, competitive bid procedures repealed: HB 209, SB 3417
- Purchasing, reciprocity, in-state preferences: \*SHB 232, CH 183 (1983)
- Purchasing, use of competitive sealed proposals: HB 286
- Quality circle, employee productivity and participation: HB 955
- Real property leases from government units when feasible: HB 910
- Real property transfers to private sector: SHB 1050
- Records management, prison work programs: HB 579, \*SHB 579, CH 296 (1983)
- Records, personal and research, access procedures: HB 342, SHB 342
- Retirement age, mandatory provisions may be waived: HB 338
- Revenue shortfall, automatic agency budget reductions: HB 936
- Salary schedules, working conditions prepared by individual agencies: HB 792
- State seal, unauthorized use: HB 551, SHB 551
- Sunset review procedure modified: HB 39, \*SHB 39, CH 27 E1 (1983)
- Sunset review, water well construction examining board: HB 39, \*SHB 39, CH 27 E1 (1983)
- Sunset termination, archaeological research center, repealed: SHB 708
- Sunset termination, arts commission: HB 493, \*SHB 493, CH 197 (1983)
- Sunset termination, barbering regulation, removed: HB 369, HB 964, \*SSB 3081, CH 75 (1983)
- Sunset termination, boom companies: HB 493, \*SHB 493, CH 197 (1983)
- Sunset termination, chiropractic disciplinary board: HB 493, \*SHB 493, CH 197 (1983)
- Sunset termination, commerce and economic development: HB 493, \*SHB 493, CH 197 (1983)
- Sunset termination, commission on vocational education: HB 493, \*SHB 493, CH 197 (1983)
- Sunset termination, cosmetology, removed: HB 200, \*SSB 3088, CH 208 (1983)
- Sunset termination, council for postsecondary education: HB 493, \*SHB 493, CH 197 (1983)
- Sunset termination, county road administration board: HB 589
- Sunset termination, ditches, regulation of across highways: HB 493, \*SHB 493, CH 197 (1983)
- Sunset termination, drugless healing: HB 493, \*SHB 493, CH 197 (1983)
- Sunset termination, DSHS advisory committee: HB 346
- Sunset termination, educational services registration act: HB 493, \*SHB 493, CH 197 (1983)
- Sunset termination, emergency medical services committee: HB 493, \*SHB 493, CH 197 (1983)
- Sunset termination, fairs commission: HB 493, \*SHB 493, CH 197 (1983)
- Sunset termination for Asian-American affairs commission extended: \*HB 146, CH 119 (1983), SB 3233
- Sunset termination, interim committee on public employees collective bargaining: HB 493, \*SHB 493, CH 197 (1983)
- Sunset termination, judicial council: HB 493, \*SHB 493, CH 197 (1983)

**STATE AGENCIES—cont.**

- Sunset termination, landscape architects: HB 493, \*SHB 493, CH 197 (1983)  
 Sunset termination, library network: HB 493, \*SHB 493, CH 197 (1983)  
 Sunset termination, log driving companies: HB 493, \*SHB 493, CH 197 (1983)  
 Sunset termination, midwife advisory committee: HB 493, \*SHB 493, CH 197 (1983)  
 Sunset termination, municipal research council: HB 47, SHB 47  
 Sunset termination, national guard educational assistance program: HB 493, \*SHB 493, CH 197 (1983)  
 Sunset termination, notaries public and commissioners of deeds: HB 493, \*SHB 493, CH 197 (1983)  
 Sunset termination, nurses: HB 493, \*SHB 493, CH 197 (1983)  
 Sunset termination, nursing home advisory council: HB 493, \*SHB 493, CH 197 (1983)  
 Sunset termination, public disclosure commission: HB 493, \*SHB 493, CH 197 (1983)  
 Sunset termination removed, traffic safety commission: \*SSB 3538, CH 14 E1 (1983)  
 Sunset termination repealed, archaeological research center: HB 708, \*SB 4088, CH 159 (1983)  
 Sunset termination, salaries, establishment of minimum: HB 493, \*SHB 493, CH 197 (1983)  
 Sunset termination, snowmobile advisory committee: \*HB 180, CH 139 (1983)  
 Sunset termination, state board of health extended: \*SB 4204, CH 235 (1983)  
 Sunset termination, toll logging roads: HB 493, \*SHB 493, CH 197 (1983)  
 Sunset termination, training standards and education board: \*SHB 493, CH 197 (1983)  
 Sunset termination, UW museum: HB 493, \*SHB 493, CH 197 (1983)  
 Sunset termination, various boards, councils, commissions, programs: HB 493, \*SHB 493, CH 197 (1983)  
 Sunset termination, vehicle inspection program: HB 493, \*SHB 493, CH 197 (1983)  
 Tax incentives for private sector, utilized by state: SHB 1050  
 Taxation, state subject to retail sales tax except when selling to self: HB 72, SHB 72  
 Travel allowance, foreign: HB 851  
 Travel allowances, not to exceed federal standards: HB 746  
 Travel office for state employees' trips: HB 894  
 Travel reimbursement to be set at federal rate: HB 127, \*SHB 127, CH 29 E1 (1983)  
 Uniform procurement system: SHB 406  
 Utilization of public assets act: HB 845  
 Vital services provided by local governments, reimburse county or city: HB 5  
 Work incentive demonstration project proposal: HB 897

**STATE AND PUBLIC EMPLOYEES**

- Cease and desist orders, public employment relations commission authorized: HB 606  
 Classification appeal procedures: HB 792  
 Collective bargaining, agreement enforceable against successor employer: HB 606  
 Collective bargaining authorized: HB 128  
 Collective bargaining, higher education personnel board is authorized: HB 128  
 Comparable worth in salary schedules: \*SSB 3248, CH 75 E1 (1983)  
 Consolidated employers, retirement plan procedures: SSB 3226  
 Corrections, civil service exemptions eliminated for institutional industry staff: \*HB 125, CH 175 (1983)  
 Disability cases, hearing examiner: SSB 3226  
 Elected officials, salaries increased: HB 50, SHB 50  
 Employment commission created, recruit effective work force: HB 651  
 Exempt position, eliminates right of reversion to classified position unless appointment temporary: HB 134, SHB 134  
 Hiring policy that does not disproportionately favor management: HB 283  
 Honoraria received, reporting requirements: HB 149, SHB 149  
 Insurance coverage is not additional compensation: \*SSB 3079, CH 37 E1 (1983)  
 Insurance, self-funding: HB 620, SHB 620  
 Interim committee on public employees collective bargaining, sunset termination: HB 493, \*SHB 493, CH 197 (1983)

**STATE AND PUBLIC EMPLOYEES—cont.**

- Labor relations board created, provide labor relations program: HB 651
- Layoffs and reemployment, seniority prevails: HB 134, SHB 134
- Liquor control board employees, collective bargaining agreements: HB 664
- Management employees, defined for state civil service: HB 134, SHB 134
- Mileage rates: HB 746
- Mileage reimbursement not to exceed federal rate: \*SHB 127, CH 29 E1 (1983)
- Pay period, twice a month: HB 295, SHB 295, \*2SHB 295, CH 28 E1 (1983)
- Performance evaluation procedure shall be instituted: HB 134, SHB 134
- Performance evaluations, supervisor responsibility, liability: SHB 134
- Personal service contracts, reporting requirements: HB 149, SHB 149
- Personnel files, employee access provided: HB 446
- Political campaign solicitation and contributions, nonpartisan as well as partisan application: HB 426, SHB 426
- Political participation, conditions: SHB 426
- Private benefit or gain by public officers outlawed: HB 474
- Productivity board, director of personnel is a member: HB 617, \*SB 4205, CH 54 (1983)
- Productivity board, expense limitation: HB 617, \*SB 4205, CH 54 (1983)
- Quality circle, employee productivity and participation: HB 955
- Reduction in force may not disproportionately favor management: HB 283
- Reenter service, restoration of withdrawn retirement contributions, notice of opportunity: HB 126, \*SHB 126, CH 233 (1983)
- Retirement age, mandatory provisions may be waived: HB 338
- Retirement system, service period computation modified: HB 16, \*SHB 16, CH 69 (1983), SSB 3062
- Salaries, establishment of minimum, sunset termination: HB 493, \*SHB 493, CH 197 (1983)
- Salaries must be lower than governor: SB 3427
- Salaries or benefits, determined by law or collective bargaining, paid from state treasury: HJR 12
- State patrol special deputies: \*HB 304, CH 144 (1983)
- Travel allowance, foreign: HB 851
- Travel allowances, not to exceed federal standards: HB 746
- Travel office for state employees' trips: HB 894
- Travel reimbursement to be set at federal rate: HB 127, \*SHB 127, CH 29 E1 (1983)
- Vacation leave, accrue 30 days plus that earned for anniversary date: HB 129, \*SHB 129, CH 283 (1983)
- Vacation leave, accrued, may be paid for unused: HB 132, SHB 132
- Vacation leave, cash received not part of retirement allowance computations: HB 129, \*SHB 129, CH 283 (1983)
- WWII state employees and surviving spouse, discriminatory dismissal, reparation: \*SSB 3163, CH 15 E1 (1983)
- WWII state employees who suffered discriminatory dismissal, reparation: HB 268

**STATE ARCHIVIST (See SECRETARY OF STATE)****STATE AUDITOR**

- Municipal corporations division, expenses, municipal revolving fund: SHB 635
- Peer review by LBC: SHB 635
- Salary increase: HB 50, SHB 50

**STATE BUILDING CODE**

- Adult correctional facility construction projects exempted from local codes: HB 34
- Commercial and residential buildings, efficient thermal and lighting standards: HB 2
- Council established: HB 557
- Energy efficiency, commercial and residential thermal and lighting standards: HB 2
- Exemptions removed, gas piping, water heaters, vents for water heaters: HB 596
- Gas piping, water heaters, vents for water heaters, exemption removed: HB 596
- Model conservation standards for new structures: HB 162, SHB 162
- State building code act: HB 557

**STATE BUILDING CODE—cont.**

Uniform standards brought up to date: HB 596

**STATE EMPLOYEES** (See STATE AND PUBLIC EMPLOYEES)

**STATE ENVIRONMENTAL POLICY ACT** (See ECOLOGY, DEPARTMENT OF, subtopic SEPA)

**STATE FINANCE COMMITTEE** (See BONDS)**STATE FIRE MARSHAL**

Fire protection board created: HB 447

Fire service training purposes: HB 447

Guard dogs, notice must be given: \*SB 3537, CH 258 (1983)

Heaters, portable oil fueled heaters regulated: \*SSB 3251, CH 134 (1983)

Oil recycling tanks: HB 873

Transient accommodations, repeals laws except fire marshal rulemaking authority: HB 273

**STATE INVESTMENT BOARD**

Residential financing, public pension guarantee fund to provide money: HB 267

**STATE LOTTERY** (See also GAMBLING)

Advertising, written materials must display probability of winning: HB 438

Civil service exemptions for certain employees: HB 438

Commission members or employees may not benefit privately: HB 474

Electronic, mechanical, or video terminals prohibited: HB 610

Electronic or mechanical devices prohibited: SSB 3814

Electronic or mechanical devices, video terminals, may not award immediate prizes: HB 642

Gambling mentality, growth prevented: HB 642

Liquor board administrative expense, excess compensation to general fund: HB 835

Liquor control board, performing lottery related services: HB 319, SHB 319, \*SSB 3101, CH 160 (1983)

Prizes not to exceed 45% annual ticket revenue: SSB 3814

Probability of winning to be conspicuously displayed on the ticket or share: HB 438

Proceeds dedicated to use of common schools: HB 616

Revenue transmitted to general fund on a daily basis: SSB 3814

Sales agent's commissions, not to exceed 5%: SSB 3814

Schools, receive proceeds of lottery: HB 616

Tax, 10% of ticket selling price: HB 544

Unfair or deceptive acts prohibited: SSB 3814

Uniform unclaimed property act enacted: \*SHB 179, CH 179 (1983)

Violation, investigations, enforcement, and prosecutions, duties: HB 438

Washington state lottery act enacted: HB 438

**STATE PATROL**

Cadets, retirement contributions, transfer to patrol system: \*SSB 3174, CH 81 (1983)

Collective bargaining, not including wages: SHB 1035

Corporal, establishing rank: HB 156

Criminal records, fees: \*HB 260, CH 184 (1983)

Disciplinary and disability hearings separate from state hearings office: HB 818

Disciplinary process: SB 4202

Drunk driver enforcement impact account: SHB 983

Honorarium, received for public education purposes, may keep: SHB 552

Lie detector tests can not be a condition of employment: HB 432

Motor carrier safety and weight regulation consolidated: HB 819

Prohibition of transportation of hazardous substances: \*SSB 3026, CH 205 (1983)

Public retirement, \$.67 increase for each year of creditable service: HB 51

Public retirement, \$.74 increase for each year of creditable service: \*SHB 51, CH 56 E1 (1983), HB 495, SHB 495, SB 3910

Retirement, survivor's benefits: HB 271, SHB 271

Special deputies, state employees: \*HB 304, CH 144 (1983)

**STATE PATROL—cont.**

Uniform may be worn off-duty if during public service education: HB 552, SHB 552

Vehicle repairers, restorers, or rebuilders, rule adoption: \*HB 259, CH 142 (1983)

Weight control division of WSP transferred to WUTC: HB 837

**STATE ROUTES (See TRANSPORTATION, DEPARTMENT OF)****STATE SEAL (See SECRETARY OF STATE)****STATE TREASURER**

Filing requirements: \*SB 3142, CH 213 (1983)

Obsolete funds and accounts abolished: HB 325, \*SHB 325, CH 189 (1983)

Public purpose moneys, 21 million to be held in special account until 1985: HB 52

Salary increase: HB 50, SHB 50

State employees salaries or benefits, law or collective bargaining, paid from state treasury: HJR 12

**STATEMENTS FOR THE JOURNAL**

Senator Thompson, missed roll call	p. 168
Senator Deccio, changed vote SSB 3127	p. 277
Senator Zimmerman, vote SB 3258	p. 366
Senator Hemstad, missed vote: SB 3074	p. 595
Senator Moore, withholding vote on GA appointees	p. 602
Senator Gaspard, committee report SB 3514	p. 732
Senator Deccio, vote SB 3782	p. 753
Senator Williams, 2SSB 3085	p. 754
Senator Deccio, SSB 3483	p. 811
Senator Pullen, SB 3114	p. 876
Senator Metcalf, ESHB 289	p. 1027
Senator Newhouse, SHB 117, violation of senate rules, protest	p. 1282
Senator McManus vote, EHB 399	p. 1310
Senator Granlund, missed roll call	p. 1489
Senator Lee, protest cut-off of debate SB 3909	p. 2419
Senator Talmadge, SHB 605, conflict of interest	p. 2428

**STATUTE LAW COMMITTEE (See CODE REVISER)****STENDER, JOHN H.**

Member, apprenticeship council:

GA: 98, confirmed pp. 580, 1996, 2020

**STEPHENS, DAN W.**

Member, board of trustees for Yakima community college district no. 16: GA 55, confirmed pp. 31, 482, 602

**STEVENS, VINCENT L.**

Chairman, state health coordinating council: GA 96 pp. 438, 704

**STREET RODS (See MOTOR VEHICLES)****STREETS (See ROADS AND HIGHWAYS)****STRIKES (See LABOR RELATIONS)****SUBDIVISIONS (See LAND USE PLANNING)****SUNSET AUDIT AND REPORT**

Public broadcasting pp. 220, 456

Veterinary board of governors p. 131

Commission for the blind p. 288

**SUNSET REVIEW (See STATE AGENCIES)****SUPERINTENDENT OF PUBLIC INSTRUCTION**

Board of education, voting member: SSB 3455

Handicapped children, pre-school education provided: HB 168

Handicapped children, training program for parents and children: HB 168

**SUPERINTENDENT OF PUBLIC INSTRUCTION—cont.**

Handicapped education eligibility modified: HB 196

Handicapped training programs for children under 3: HB 196

Juveniles confined in detention facilities, education programs: HB 241, \*SHB 241, CH 98 (1983)

National history contest: SCR 105

Salary increase: HB 50, SHB 50

School buildings, earthquake inspections: HB 680

Transportation, all students entitled to transportation: HB 296, \*SHB 296, CH 61 E1 (1983)

Transportation, allocation formula to legislature: HB 296, \*SHB 296, CH 61 E1 (1983)

Transportation data to be submitted by districts: \*SHB 296, CH 61 E1 (1983)

Transportation vehicle reserve: HB 148

Vocational agriculture program: \*HB 570, CH 34 E1 (1983)

**SUPPLEMENTAL BUDGET (See BUDGET AND ACCOUNTING)****SUPREME COURT**

Administrator for the courts, salary to be set by the supreme court: HB 627, SB 3376

Public printer's duties: HB 378

Salaries increased: HB 50, SHB 50

**SURETY BOND (See INSURANCE)****SURVEILLANCE**

Exclusionary rule modified, procedures: SHB 315

Federal employees authorized to wiretap for drugs: HB 315

Journalists, news source, confidentiality: HB 655

Records, personal and research, access procedures: HB 342, SHB 342

Telephone conversations of employees may not be recorded: HB 451

Wiretaps for drugs by state or subdivisions: SHB 315

**SUSAN B. ANTHONY**

National holiday: HJM 28

**SWAYZE, MARLISS M.**

Member, board of trustees for Tacoma community college district no. 22: GA 88, confirmed ..... pp. 183, 2283, 2284

**SWINE (See LIVESTOCK)****TACOMA**

Dome building commended: HFR 67

Pantages theatre restoration efforts commended: HFR 13

Port study and review commission, effective cost and rate control program: HB 415

**TACOMA COMMUNITY COLLEGE DISTRICT 22, BOARD OF TRUSTEES**

Anne M. Wade, member: GA 61, confirmed ..... pp. 32, 2282, 2283

Marliss M. Swayze, member: GA 88, confirmed ..... pp. 183, 2283, 2284

**TALMADGE, SENATOR PHIL**

Oath of office .....	p. 2
Appointed member, judiciary, parks and ecology and ways and means committees .....	p. 34
Point of order, rule 29 .....	p. 239
Point of order, SB 3416 .....	p. 493
Personal privilege, error in definition EHB 387 .....	p. 1105
Point of order EHB 753 .....	p. 1292
Point of order, SB 3090 .....	p. 1455
Remarks, WPPSS board exemptions .....	p. 1475
Parliamentary inquiry, amendment by Senator Peterson SB 3090 .....	p. 1646
Point of order, SB 3090 .....	p. 1647
Remarks, EHB 239 .....	p. 1733

**TALMADGE, SENATOR PHIL—cont.**

- Remarks, ESSB 3766 ..... p. 1829  
 Remarks, SB 4279 ..... p. 2434

**TAVERNS (See ALCOHOL)****TAX APPEALS**

- Judicial review and appeal, within 30 days of board's decision: HB 173  
 Tax appeals board procedures: SB 3260

**TAX APPEALS, BOARD OF**

- Samuel E. Kelly, member: GA 35, confirmed ..... pp. 27, 140, 274

**TAXES - B&O**

- Additional tax, expiration date removed: HB 52, \*SB 3909, CH 3 E2 (1983)  
 Additional taxes imposed: \*SB 3909, CH 3 E2 (1983)  
 Agricultural or horticultural property, certain not business' inventory: \*SHB 466, CH 62 E1 (1983)  
 Aluminum, manufacturing tax extended to: HB 798  
 Border county tax modified: \*SB 3909, CH 3 E2 (1983)  
 Business inventories, does not include timber on state land: HB 354  
 Business inventories, removing 1983 expiration: HB 332  
 Cities, counties, school districts, exempt: HB 529, HB 805  
 Community action council, weatherization or home repair assistance, tax deduction: HB 160, \*SSB 3244, CH 66 E1 (1983)  
 Counties, cities, school districts, fire districts, exempt: \*SSB 3244, CH 66 E1 (1983)  
 Donations to schools, tax credits: HB 948  
 Exempt those who cannot pass on: HB 963  
 Exemptions, effect on revenue of to be reported: \*SB 3909, CH 3 E2 (1983)  
 Extractors, tax increased: SHB 52  
 Grants received by municipal corporations exempt: \*SSB 3244, CH 66 E1 (1983)  
 Handicapped, hiring of, credit: HB 849  
 Homeowner's property tax relief act: \*SHB 466, CH 62 E1 (1983)  
 Hotel/motel, small cities, fund convention or trade center: HB 806, SHB 806  
 Income, minimum taxable level raised: HB 396  
 Income tax in lieu of B&O tax: HJR 37  
 Increase, temporary, specified businesses: \*HB 1075, CH 9 (1983)  
 Insurance agents, brokers, solicitors, adjusters, separate rate: HB 660, \*SB 3909, CH 3 E2 (1983)  
 Insurance agents, brokers, solicitors, tax rate modified: SHB 52  
 Inventory tax exemption modified: HB 466, \*SHB 466, CH 62 E1 (1983)  
 Manufacturers, tax increased: SHB 52  
 Manufacturing tax extending to aluminium: HB 798  
 Math and science, donations, B&O tax credit: HB 948  
 Meat processors, changed to 1/8 of 1%: HB 414  
 Monthly exemption increased: HB 176  
 Out-of-state persons, certain exempt: \*SSB 3244, CH 66 E1 (1983)  
 Public assistance recipients, employers receive tax credit: HB 871  
 Public utilities, additional tax, expiration date removed: HB 52, SHB 52  
 Real estate broker, additional tax period removed: SHB 52  
 Real estate brokers, temporary increase: \*HB 1075, CH 9 (1983)  
 Retail sales, business tax of 32%: \*HB 1075, CH 9 (1983)  
 Retail, within this state, defined for taxation: HB 566  
 School teachers, math, B&O tax credit for employing: HB 807, SHB 807  
 Services, various, 32% tax: \*HB 1075, CH 9 (1983)  
 Services, 3% sales tax on certain services: HB 331  
 Shelters, contracts with, credit: HB 849  
 Slaughtering, wholesale only: \*SSB 3244, CH 66 E1 (1983)  
 Tax credit for retooling to metric wood products plant: HB 192  
 Thermal electric generating facilities, additional tax period removed: SHB 52  
 Timber, certain not business inventory: \*SHB 466, CH 62 E1 (1983)  
 Transportation businesses, additional tax, expiration date removed: HB 52, SHB 52

**TAXES - B&O—cont.**

- Wholesale or retail exempt for certain out-of-state persons: \*SSB 3244, CH 66 E1 (1983)
- Wholesale tax, manufacturers, processors, increased: SHB 52
- Wholesale, within this state, defined for taxation: HB 566
- Within this state, defined for tax purposes: HB 566
- Wood products processing facility, tax credit for retooling to metric: HB 192

**TAXES - BOATS (See BOATS)****TAXES - ESTATE (See TAXES - INHERITANCE)****TAXES - EXCISE**

- Aircraft, business or commercial purposes, modified: HB 847
- Aircraft, failure to pay, misdemeanor: \*SB 3258, CH 7 (1983)
- Aircraft, fee schedule: \*SB 3909, CH 3 E2 (1983)
- Aircraft, schedule to be developed: HB 416
- Aircraft, tax, registration fee: SHB 52
- Aircraft, 1% of fair market value: HB 416
- Aircraft, 1983 tax must be paid by 4/1/83: HB 416
- Anadromous game fish: HB 233, \*SHB 233, CH 284 (1983)
- Cold storage warehouse defined for tax purposes: \*SSB 3239, CH 132 (1983)
- Community action or home repair council, weatherization or home repair assistance, tax deduction: HB 160, \*SSB 3244, CH 66 E1 (1983)
- Deficient and delinquent payments, due 30 days after notice: HB 173
- Drinking deterrence and treatment fund, surcharge supported: HB 227
- Due dates, can credit to next fiscal year: HB 210
- Fish, commercial food fish and shellfish, additional tax, expiration date removed: HB 52, SHB 52
- Hotel-motel, may use tax to promote hotel-motel industry: HB 225
- Hotel/motel tax transferred to cultural arts, stadium, and convention districts: HB 912
- Law enforcement service districts authorized: HB 560, HB 673
- Leasehold excise tax, contract rent redefined: HB 770, HB 878
- Mobile home, travel trailer, camper, erroneous payment refund: HB 173
- Oil and gas severance tax: 2SSB 3187
- Payments received within 1st 10 days of month due, credit to next fiscal year: HB 210
- Penalties and procedures modified, felony: HB 68
- Pollution control tax exemption and credit certificate, tax liability procedure: HB 68
- Purchase contracts by local governments, may consider tax revenue: HB 574
- Real estate raised .1%: HB 943
- Shellfish, commercial, additional tax, expiration date removed: HB 52

**TAXES - FUEL**

- Aircraft, excise tax rate, 5 cents per gallon, whichever is greater: \*SB 3211, CH 49 (1983)
- Aircraft, exemptions, eliminates fuel tax refund deduction: HB 8
- Aircraft, weighted average retail sales price redefined: \*SB 3211, CH 49 (1983)
- Delinquency interest rate: HB 173
- Exemptions, eliminates fuel tax refund deduction: HB 8
- Gas tax provisions modified for 83-85 biennium: HB 235, \*SHB 235, CH 49 E1 (1983)
- Gasoline excise tax revenues may be used for public transportation: HJR 6
- Increased to 15 cents per gallon: HB 238
- Interstate commerce use, exempt from sales tax: \*SSB 3067, CH 35 E1 (1983)
- Motor vehicle, taxable fuel yet exempt from sales tax, conditions: \*SSB 3067, CH 35 E1 (1983)
- Propane, special tax: \*SB 3134, CH 212 (1983)
- Rural arterial program: HB 235, \*SHB 235, CH 49 E1 (1983)
- Seventy percent limit removed for calculating state personal income ratio: HB 238
- Special fuel, interest penalties: \*SB 3145, CH 242 (1983)



**TAXES - FUEL—cont.**

- Special fuel, taxable fuel yet exempt from sales tax, conditions: \*SSB 3067, CH 35 E1 (1983)
- Special fuel, taxes on leased vehicles: \*SB 3145, CH 242 (1983)
- Special fuel, trip permits: HB 644, \*SB 3144, CH 78 (1983)
- State personal income ratio calculation modified: HB 238
- Transportation for elderly or handicapped, exemption: HB 539, \*SHB 539, CH 108 (1983)

**TAXES - GENERAL**

- Business inventories, does not include timber on state land: HB 354
- Business inventories, removing 1983 expiration: HB 332
- Coin-operated gambling devices: HB 635
- Coin-operated gambling devices, certain taxes repealed: HB 666, SB 3985
- Drinking deterrence and treatment account: HB 870
- Exemptions, effect on revenue to be reported: \*SB 3909, CH 3 E2 (1983)
- Fire insurance premiums: HB 641
- Flood control zone districts, excess tax rate authorized: \*SHB 1093, CH 315 (1983)
- Gambling tax rate lowered for local government: HB 815
- Guaranty associations, insurance premium tax credits for assessments eliminated: HB 678
- Health maintenance organization, premium tax: HB 199
- Increases or new, not authorized until 1 year after December 31, 1983: HJR 30
- Libraries, tax exemption for purchases, creation, or duplication: HB 363
- Marine transportation benefit area authority: HB 464
- Obsolete funds and accounts abolished: HB 325
- Preferences terminated or reviewed: HB 199
- Public improvement debts through ad valorem taxes: HJR 16
- School district levies, may exceed limitations, 1985-1990: HB 922
- School district levies, simple majority vote: HB 774, HJR 18
- School district levies, tax limit modified: HJR 33
- School districts, excess elections, 3/5ths majority required: SHB 439, SHJR 29
- School districts, excess elections, 40% validation requirement removed: HB 439, HJR 29, SHJR 29
- Tax incentives for private sector, utilized by state: SHB 1050
- Tax preferences, termination or review: HB 199, \*SB 3909, CH 3 E2 (1983)
- Warrants, tax collection: \*SHB 72, CH 55 E1 (1983)

**TAXES - INCOME**

- B&O, income tax in lieu of: HJR 37
- Corporations, 3.12%: HB 935
- Dividend and interest income tax withholding repeal requested: HJM 13
- Employers, required to withhold a tax, liable to state: HB 40
- Graduated: HB 670
- Gross income, adjusted, one percent from every taxpayer: HB 40
- Limited tax imposed: HB 715
- Limited tax imposed, separate rate for corporations, individuals: HB 404
- Local authorized: HB 935
- Rate of 3.12% individuals, estates, trusts: HB 935
- Replace gross business tax and property tax: HB 935
- Savings account, 10% interest withheld, eliminate: SJM 104
- Single rate for corporations, single rate for persons: HJR 26
- Uniform tax after business expenses deducted: HJR 1

**TAXES - INHERITANCE**

- Deferrals, taxed at 12%, interest to revenue department: HB 62
- MIA's, refunding inheritance taxes paid on estates: HB 598
- Rate of 3.12%: HB 935

**TAXES - MOTOR VEHICLE**

- Excise tax, additional tax, expiration date removed: HB 52, SHB 52
- Excise tax, additional tax, increase to 10% for renewal, 7% for original: HB 52

**TAXES – MOTOR VEHICLE—cont.**

- Excise tax, increasing municipality authorized tax rate for public transportation: HB 537
- Excise tax revenue restrictions modified: HB 536
- Exemptions, eliminates fuel tax refund deduction: HB 8
- Use tax, allocation of collection fee: \*SB 3097, CH 77 (1983)

**TAXES – MUNICIPAL**

- County solid waste facilities, exemption from municipal tax removed: HB 48
- Electric utilities privilege tax: HB 913, HB 903

**TAXES – PERSONAL PROPERTY**

- Business inventory tax exemption modified: HB 466, \*SHB 466, CH 62 E1 (1983)
- Collection procedures modified: HB 677
- Deferrals, exemptions, nonprofit organizations, modified: SSB 3267
- Delinquency procedures: SSB 3178
- Delinquent, four years, may cancel: SB 3262
- Irrigation equipment, use tax exemption: \*SHB 72, CH 55 E1 (1983)
- Nonprofit organizations, deferrals and exemptions modified: SSB 3267
- Shelters, homeless persons, exempt from taxation: HB 656, SB 3438

**TAXES – REAL PROPERTY**

- Additional tax, interest rate: SB 3099
- Agricultural or horticultural property, certain not business' inventory: \*SHB 466, CH 62 E1 (1983)
- Cities, counties, maximum amount deemed levied, 106% modified: HB 916
- Collection procedures modified: HB 677
- Conservation futures, certain holdings exempt from ad valorem taxation: HB 692
- Conservation status, no penalty tax when classified: \*HB 256, CH 41 (1983)
- Conveyance tax repealed: HB 943
- Conveyances, additional tax, expiration date removed: HB 52
- County assessor to review levies for correctness: HB 698, \*SSB 3522, CH 223 (1983)
- County road tax revenues, use: HB 11
- County sales and use tax equalization account, government price index for distribution: HB 263, \*SHB 263, CH 99 (1983)
- Current use assessment, single family residences, vacant lots: HB 46
- Current use valuation, additional tax upon reclassification: SB 3099
- Current use valuation for vacant lots and single family residences: HJR 20
- Deferrals, exemptions, nonprofit organizations, modified: SSB 3267
- Delinquency, interest, 2% above prime: HB 889
- Delinquency penalties, waived, certain filing and notice circumstances: HB 706
- Delinquency procedures: SSB 3178
- Equalization board, delinquencies, schedule: SB 3262
- Equalization, petition process: HB 173
- Exempt, incidental rental authorized: HB 625
- Exempt properties, collection procedures modified: HB 677
- Exempt, vital services provided, voluntary reimbursement to county or city: HB 5
- Exemptions, effect on revenue to be reported: \*SB 3909, CH 3 E2 (1983)
- Flood control and stormwater assessments, delinquency: HB 462
- Game department in lieu of taxes: HB 105, SHB 105
- Homeowner's property tax relief act: \*SHB 466, CH 62 E1 (1983)
- Homestead partial property tax exemption: HJR 38
- Homesteads, exemption, filing requirements: HB 907
- Inventory tax phaseout, property tax relief: SHB 466
- Law enforcement service districts authorized: HB 560, HB 673
- Leasehold excise tax, contract rent redefined: HB 770, HB 878
- Leases, excise tax, additional tax, expiration date removed: HB 52
- Leases, excise tax, includes occupation by lessee in definition of leasehold interest: HB 80
- Nonprofit organizations, deferrals and exemptions modified: SSB 3267
- Nonprofit organizations, rummage sale use does not make property commercial: HB 504, \*SB 3162, CH 25 E1 (1983)
- Open space land, interest rate upon reclassification: SB 3099

**TAXES - REAL PROPERTY—cont.**

- Park and recreation service area, proposals, levies: HB 597, SHB 597, SSB 4015
- Public improvement debts through ad valorem taxes: HJR 16
- Public improvement financing, property tax increases: HJR 28, HJR 32, SSJR 119
- Real estate excise tax raised .1%: HB 943
- Reassessment, repayments: HB 173
- Recovery and refunds: HB 173
- Residences, single family and vacant lots, current use assessment: HB 46
- Sales of real estate, additional tax, expiration date removed: SHB 52
- Senior citizen property tax relief modified: HB 170
- Senior citizen tax exemption, annual filing requirement eliminated: HB 360, HB 496, \*SHB 496, CH 11 E1 (1983), HB 696
- Senior citizen tax exemption, combined disposable income of \$15,000 or less: HB 696
- Senior citizen tax exemption, deduct nursing home cost from income: HB 264, \*SHB 496, CH 11 E1 (1983)
- Senior citizen tax exemption, income level raised, adjustments depending on combined disposable income: HB 496, \*SHB 496, CH 11 E1 (1983)
- Senior citizen tax exemption modified: HB 262
- Senior citizen tax exemption, publication of procedure: HB 624
- Shelters for homeless persons, exempt from taxation: HB 656, SB 3438
- Shelters to indigent homeless person, exemptions: \*SHB 72, CH 55 E1 (1983)
- Use exemption, subsequently changed, tax and interest assessment, exceptions: \*HB 269, CH 185 (1983)
- 106% limit modified: HB 391

**TAXES - SALES**

- Additional tax, expiration period removed: HB 52, SHB 52
- Beer, strong, retail, additional tax, expiration date removed: HB 52, SHB 52
- Beer, wholesale, additional tax, expiration date removed: HB 52, SHB 52
- Border counties defined: \*SB 3258, CH 7 (1983)
- Border counties rate varied: SHB 52
- Border counties, retail tax, 5.4%: \*SB 3258, CH 7 (1983)
- Border county tax modified: \*SB 3909, CH 3 E2 (1983)
- Cigarette tax stamp compensation changed: HB 788
- Cigarettes, additional tax, expiration date removed: HB 52, SHB 52
- Cigarettes, excise tax proceeds go to DSHS for cancer research: SB 3309
- Cities, counties, school districts, exempt: HB 529, HB 805
- Collection, seller to be compensated: HB 525
- Computers, donated to schools, use tax exemptions: \*SHB 72, CH 55 E1 (1983)
- Construction and equipment, tax deferral program: HB 108
- Counties, cities, additional tax: HB 158
- Deferral program for new construction and equipment: HB 108
- Drug tax removed: HJR 25
- Duty free shops on state ferries: HB 861, SHB 861
- Ferries, duty free shops: HB 861, SHB 861
- Food purchased for public school lunch programs, tax eliminated: SB 3015
- Food tax extended through 83-85 biennium: HB 215
- Food tax removed: HJR 25
- Food tax removed 3/1/83: HB 310
- Food tax removed 4/1/83: HB 314
- Increase, temporary, specified businesses: \*HB 1075, CH 9 (1983)
- Increase to 5.6% on each retail sale: HB 52
- Investment projects, sales tax deferrals: HB 161
- Irrigation equipment use tax exemptions: \*SHB 72, CH 55 E1 (1983)
- Lottery tickets, 10% of selling price: HB 544
- Newspaper sale and use tax exemption repealed: HB 781
- Nonresident sales for use outside state, permit fee reduced: HB 82
- Prototypes, value of the article used defined: \*SHB 72, CH 55 E1 (1983)
- Public transportation, sales and use tax authority equalized: HB 535, SHB 535, SB 3834
- Retail, increase to 5.6%: HB 52

**TAXES - SALES—cont.**

- Retail sales on federal military bases, eliminate tax exemption: HJM 1
- Retail, within this state, defined for taxation: HB 566
- Selling price may include tax if buyer notified: HB 614
- Services, 3% sales tax on certain services: HB 331
- Spirits and strong beer, retail, additional tax, expiration date removed: HB 52
- State, seller for purposes of retail sales tax, except selling to self: HB 72, \*SHB 72, CH 55 E1 (1983)
- Telephone services, retail: SHB 52, \*SB 3909, CH 3 E2 (1983)
- Tobacco, additional tax expiration removed: SHB 52
- Trade in allowance, deducted from sales price: HB 191
- Wholesale, within this state, defined for taxation: HB 566
- Wine, wholesale, additional tax, expiration date removed: HB 52, SHB 52

**TAXES - TIMBER**

- Business inventories, does not include timber on state land: HB 354
- Business inventory, certain timber not: \*SHB 466, CH 62 E1 (1983)
- Business tax of 6.5% extended: SHB 52, \*SB 3909, CH 3 E2 (1983)
- Business tax of 6.5% extended to 1985: HB 52
- Counties may impose an excise tax: SSB 4158
- Credit authorized for certain harvest if land returned to production: HB 222
- Current use assessment, timber land: SSB 3504
- Distribution determinations and calculations: SSB 4158
- Excise tax on harvesters, criteria procedures: HB 776, HB 797, HB 902
- Extended at a reduced rate of 5%: HB 249
- Extending at a reduced rate of 5 1/2% until June 1985 and then 5%: HB 250
- Extending the tax: HB 222
- Forest fire protection assessments: HB 661, \*SHB 661, CH 299 (1983)
- Forest land, reforestation land reclassified: HB 425
- Inventory tax phaseout, property tax relief: SHB 466
- Public land, exempt from excise tax if harvested on public land: HB 657
- Rates modified over 5 year period: SB 3750
- Retooling plant to metric, tax credit: HB 192
- Timber tax reserve account, providing for transfer of surplus from state timber tax account A: \*HB 61, CH 8 (1983)

**TAXES - USE (See TAXES - SALES)****TEACHERS (See SCHOOLS AND SCHOOL DISTRICTS)****TECHNOLOGY**

- Ad hoc committee on science and technology: SCR 101
- Education priorities, science, engineering: HCR 8
- High technology in south Puget Sound: HB 565, SHB 565
- High-technology education and training act: HB 869, \*2SSB 3155, CH 72 E1 (1983)
- Joint ad hoc committee on science and technology: HCR 3
- Loans for teachers in math and science: \*2SSB 4102, CH 74 E1 (1983)
- Math and science, donate to schools, tax credit: HB 948
- Math and science, recommended state course of study: HB 954, SHB 954
- Math and science teachers, tax credit for hiring: HB 807, SHB 807
- Math, science, and computer science, basic education requirements: HB 956
- Math, science, computer science education, proposed appropriations: HB 946
- Math, science, computer science, gifted students, summer: HB 962
- Math, science, computer science, schools, matching funds: HB 949
- Math, science, computer science, summer school: HB 852
- Public corporations to provide capital funds: HJR 24
- Schools, math, science, computer science, summer program: HB 852
- Tax deferrals for new construction and equipment: HB 108
- Technology development corporation established: HB 190
- Training fund and nonprofit corporation created: HB 75

**TELECOMMUNICATIONS**

- Joint select committee on regulation: SSCR 120

**TELEPHONES**

Services taxed: \*SB 3909, CH 3 E2 (1983)

**TELEVISION** (See also PUBLIC BROADCASTING COMMISSION)

Matching local funds for public television transmitters eliminated: SJM 118

**TESC** (See EVERGREEN STATE COLLEGE)**THACKER, VIRGINIA M.**

Member, board of trustees for highline community college district no. 9: GA 49, confirmed . . . . . pp. 30, 481, 600

**THEFT** (See CRIMES)**THERMAL ELECTRIC GENERATING FACILITY** (See ENERGY)**THOMPSON, JOSEPH J.**

Member, state board of pharmacy:  
GA 21, confirmed . . . . . pp. 25, 579, 1996, 1998

**THOMPSON, SENATOR ALAN**

Appointed state senator (Nov. 16, 1982) . . . . . p. 3  
Appointed member, judiciary, local government  
and ways and means committees . . . . . p. 34  
Statement for journal, missed vote ESHB 20 . . . . . p. 168  
Point of order, SB 3161 . . . . . p. 663  
Appointed interim committee member, joint legislative  
ethics board, organized crime advisory board, senate  
oversight committee on fire protection . . . . . pp. 2428, 2429

**THURSTON COUNTY**

High technology in south Puget Sound: HB 565, SHB 565

**TIDELANDS** (See NATURAL RESOURCES, DEPARTMENT OF)**TIMBER** (See NATURAL RESOURCES, DEPARTMENT OF; TAXES - TIMBER)**TIMESHARES** (See REAL PROPERTY)**TITLE ONLY BILLS - HOUSE**

Agricultural commodities: HB 793, HB 1012  
Agriculture: HB 1014  
Animal husbandry: HB 1006  
Aquatic land leases: HB 979  
Aquatic lands: HB 980, HB 1068  
Architect registration: HB 1042  
Benefit levels for unemployment compensation: HB 1008  
Budget: HB 422, HB 1079, HB 1080, HB 1081  
Building requirements: HB 1011  
Campaign financing: HB 1002  
Child abuse and neglect: HB 1057, HB 1074  
China exhibition in Washington state: HB 1089  
Chore services: HB 1025  
Cities and towns: HB 1059  
Civil service: HB 1061  
Collective bargaining: HB 1035  
Committees for Oregon, Idaho and Washington: HB 1099  
Conflicts of interest: HB 1003  
Congressional redistricting: HB 1038  
Constitutional amendment: HJR 41  
Corrections: HB 1041  
Counties: HB 1095  
Courts: HB 1047  
Criminal justice training commission: HB 1019  
Criminal law: HB 978  
Deaf and blind schools: HB 1045  
Dental service eligibilities: HB 970  
Detention intake standards: HB 1030

**TITLE ONLY BILLS - HOUSE—cont.**

Domestic relation: HB 1049  
 Driving while intoxicated: HB 977  
 Economic development: HB 1050, HB 1051, HB 1028  
 Education: HB 1016, HB 1090  
 Elections: HB 992  
 Employment: HB 1022  
 Energy conservation: HB 1010  
 Energy facilities construction act of 1983: HB 1007  
 Ferry rate increases and routes: HB 1060  
 Fire protection equipment: HB 1056  
 Firearms: HB 1026  
 Fiscal matters: HB 1082, HB 1083  
 Food fish and shellfish: HB 1069  
 Forest practice exemptions: HB 1097  
 Game and game fish: HB 1070  
 Habilitation plans for residents of state residential schools: HB 971  
 Health: HB 989  
 Higher education: HB 1072  
 Horticultural nurseries: HB 1013  
 Hydraulics: HB 1085  
 Industrial insurance administration act of 1983: HB 1036  
 Industrial welfare: HB 995  
 Institutional industries: HB 1031  
 Institutions of higher learning: HB 1055  
 Insurance: HB 1027  
 Insurance damages: HB 1098  
 International trade: HB 1043  
 Joint operating agencies: HB 1004  
 Juvenile justice: HB 1048  
 Juveniles: HB 1040  
 Law enforcement officers and fire fighters retirement system: HB 1073  
 Local government: HB 1093, HB 1094  
 Long-term care: HB 1018  
 Marine transportation: HB 988  
 Mathematics and science education in the common schools: HB 1053  
 Medical assistance: HB 969  
 Motor vehicle excise tax: HB 983  
 Motor vehicle fund: HB 975, HB 976  
 Motor vehicles: HB 987, HB 1046  
 Mutual savings banks: HB 997  
 Occupational diseases: HB 1037, HB 1067  
 PAC contribution donor specification: HB 1087  
 Park district formation: HB 1084  
 Personnel systems: HB 1062  
 Pharmaceutical services: HB 981  
 Plant pests and diseases: HB 1005  
 Port districts: HB 1058  
 Private utilities: HB 1086  
 Professional licensing: HB 1044  
 Public assistance: HB 1039  
 Public disclosure commission: HB 994  
 Public health, welfare and safety: HB 990  
 Public lands: HB 1052, HB 1092  
 Public records: HB 991  
 Public utility districts: HB 1000  
 Qualifications for unemployment compensation: HB 1009  
 Recall of elected officials: HB 993  
 Redistricting and reapportionment: HB 1001  
 Residential services: HB 1024  
 Revenue and taxation: HB 421, HB 423, HB 1075, HB 1076, HB 1077, HB 1078

**TITLE ONLY BILLS - HOUSE—cont.**

- Robbery of controlled substances: HB 969
- Savings and loan associations: HB 996
- School transportation: HB 1017
- Social and health services: HB 424, HB 982, HB 1020, HB 1023
- Social and health services and corrections departments: HB 1029
- Special purpose districts: HB 1096
- State building code: HB 1065
- State government: HB 1063, HB 1064, HB 1066
- State management efficiency: HB 1088
- Telephone systems: HB 998
- Training of mixologists: HB 1032
- Transportation: HB 985, HB 986, HB 1071
- Transportation agencies: HB 974
- Transportation appropriations: HB 972
- Transportation revenue and taxation: HB 973
- Transportation right of way: HB 984
- Treatment alternatives to street crime programs: HB 1091
- Tuition and fees: HB 1054
- Unemployment compensation: HB 1034
- Utilities: HB 999
- Veterans: HB 1021
- Voters' pamphlets for local elections: HB 1100
- Water rights: HB 1015
- Workers' compensation: HB 1033

**TITLE ONLY BILLS - SENATE**

- Pollution control: SB 3674
- Retirement from public service: SB 3910
- Revenue and taxation: SB 3909
- Small business: SB 3537

**TOBACCO**

- Cancer research funded by excise tax: SB 3309
- Cigarette tax stamp compensation changed: HB 788
- Military base tax exemption, eliminate: HJM 1
- Smoking in public areas restricted: HB 229

**TOLL FACILITIES (See TRANSPORTATION, DEPARTMENT OF)****TORTS (See CIVIL ACTIONS AND PROCEDURES)****TOURISM (See COMMERCE AND ECONOMIC DEVELOPMENT)****TOUTLE RIVER**

- Mt. St. Helens repair damage: HB 358, \*SB 3519, CH 1 E1 (1983)

**TOWNS (See CITIES)****TOXIC MATERIALS (See HAZARDOUS SUBSTANCES)****TRACY, HAROLD L.**

- Member, board of trustees for central Washington university:  
GA 92 ..... pp. 248

**TRADE FAIRS (See FAIRS AND EXPOSITIONS)****TRADE NAMES (See LICENSES)****TRADE-INTERNATIONAL (See EXPORTING)****TRADING STAMPS**

- Coupons, distributed through newspaper or attached or in packages, regulation:  
\*HB 219, CH 40 (1983), SB 3082

**TRAFFIC INFRACTIONS (See MOTOR VEHICLES)****TRAFFIC SAFETY COMMISSION**

- Comprehensive traffic safety plan duties modified: \*SSB 3538, CH 14 E1 (1983)

**TRAFFIC SAFETY COMMISSION**—cont.

Sunset termination removed: \*SSB 3538, CH 14 E1 (1983)

**TRAINS** (See RAILROADS)**TRANSPORTATION COMMISSION, STATE**

Vaughn Hubbard, member: GA 36, confirmed . . . . . pp. 27, 502, 1996, 2002

**TRANSPORTATION, DEPARTMENT OF**

Aircraft dealer regulations: \*SB 3252, CH 135 (1983)

Airplane leasing, purchasing, and contracting for maximum interagency use: HB 406

Bicycle transportation committee established: HB 375

Bridges to be designed to accommodate bicycles: HB 375

Category C highway projects, appropriation: \*SB 3198, CH 18 (1983)

Civil service exemptions for certain management: HB 503

Condemnation cases for highways have court priority: \*HB 183, CH 140 (1983)

Contracting authority, indemnity provisions: \*HB 184, CH 29 (1983)

Ditches, regulation of across highways, sunset termination: HB 493, \*SHB 493, CH 197 (1983)

Duty free shops on state ferries: HB 861, SHB 861

Ferries, duty free shops: HB 861, SHB 861

Ferries, Issaquah class, conditions on service: HB 567

Ferry contractors, prequalification procedures: \*SB 3250, CH 133 (1983)

Ferry system, auto license and renewal fees from island counties: HB 230

Ferry system, capital expenditures and operations and maintenance expenses: HB 701, SHB 701

Ferry system, employee organization and collective bargaining procedures established: \*SSB 3108, CH 15 (1983)

Flood damage, expediting repairs by modifying EIS requirements: HB 182

Grant county arterial highway construction: SSB 4055

Hood canal bridge, appropriation: \*SB 3198, CH 18 (1983)

Hood Canal bridge, tolls reduced and then terminated: SB 3991

Issaquah class ferries, conditions on service: HB 567

Marine transportation benefit area authority: HB 464

Motor vehicle fund distribution, maintenance of city streets, state aid approval: \*HB 285, CH 43 (1983)

Multilane highways, keep right except to pass: HB 799

Multistate highway transportation agreement: \*SB 3282, CH 82 (1983)

Public transportation account created: HB 775

Rail study on costs and benefits: \*HB 753, CH 303 (1983)

Railroad passenger service advisory committee: HB 758

Railroad rights of way, mapped, used exclusively for transportation: HB 376

R.C. Bremner Bridges, I-182, Yakima River: HFR 86

Rural arterial program: HB 35, \*SHB 235, CH 49 E1 (1983), HB 773

Signs, real estate, temporary signs do not violate visual quality laws: HB 17

Speed limits, local regulation, not less than 12: SB 3191

State route 21, Kahlotus to Lind: HB 45, \*SB 3165, CH 79 (1983)

State route 530, to Rockport: HB 172, \*SB 3167, CH 131 (1983)

State routes revised, 12, 109, 291, 251: \*HB 185, CH 180 (1983)

Toll facilities, pedestrians liable for failure to pay: \*SB 3255, CH 247 (1983)

Transportation budget adopted: HB 234, \*SHB 234, CH 53 E1 (1983), HB 236, HB 237

**TRAVEL**

Agents, exempt from B & O tax if can not pass on: HB 963

Agents, outside sales exempt from unemployment compensation: HB 831

Travel bureaus regulated: HB 828

Washington state travel office: HB 894

**TRAVEL TRAILERS** (See MOTOR VEHICLES)**TREASURER** (See COUNTY TREASURER; STATE TREASURER)**TRUCKS** (See COMMON CARRIERS; MOTOR VEHICLES)**TRUST DEED** (See REAL PROPERTY)



**TRUSTS**

- Real property, no conveyance, sale or disposition without beneficiary notice: HB 523
- Wills, statutory will adopted: HB 684

**TUITION** (See specific institutions)**UNCLAIMED PROPERTY** (See PERSONAL PROPERTY)**UNEMPLOYMENT COMPENSATION**

- Additional benefits, availability extended: \*2SSB 3085, CH 13 E1 (1983)
- Benefit year, 26 instead of 30 times the weekly benefit: HB 714
- Charge-back ratios: HB 714
- Contributions in lieu, includes penalties: HB 224, \*SSB 3311, CH 23 E1 (1983)
- Corporations, officer coverage elective: HB 224, \*SSB 3311, CH 23 E1 (1983)
- Educational institution employee, retroactive benefits possible: HB 224, \*SSB 3311, CH 23 E1 (1983)
- Employer contribution rate: HB 714
- Experience rating system data base: 2SSB 3085
- Extended benefits, eligibility criteria modified for federal compliance: \*HB 1, CH 1 (1983)
- Federal interest payment fund: HB 220, \*2SSB 3085, CH 13 E1 (1983)
- Higher education financial aid does not cover: HB 437
- Interest and penalties, responsibility, delinquency: HB 224, \*SSB 3311, CH 23 E1 (1983)
- Labor disputes, work stoppage, exceptions to compensation disqualification: HB 789
- Military weekend duty reserve pay excluded from definition of remuneration: \*HB 787, CH 67 (1983)
- Part-time employment, criteria for suitable work: HB 6
- Predecessor and successor rates: HB 224, \*SSB 3311, CH 23 E1 (1983)
- Quitting voluntary: HB 757
- Shared work benefits, reduced work week: HB 195, HB 246, \*SSB 3087, CH 207 (1983)
- State and political subdivisions, liable for interest or penalties: HB 224, \*SSB 3311, CH 23 E1 (1983)
- Suitable work, consider part-time employment: HB 6
- Travel agents, outside sales exempt: HB 831
- Voluntary quitting: HB 757
- Wages, may be calculated on basis of remuneration payable: HB 224, \*SSB 3311, CH 23 E1 (1983)
- Wages subject to tax, percentage modified: HB 714
- Weekly benefit computation: HB 714
- Weekly benefit rounded down to next dollar: HB 224, \*SSB 3311, CH 23 E1 (1983)

**UNFAIR BUSINESS PRACTICES** (See CONSUMER PROTECTION)**UNFAIR PRACTICE** (See DISCRIMINATION; LABOR RELATIONS)**UNIFORM LAWS**

- Uniform conflict of laws-limitations act: \*HB 925, CH 152 (1983)
- Uniform conservation easement act: SB 3310
- Uniform limited partnership act revised: HB 747
- Uniform unclaimed property act: HB 179

**UNIONS** (See LABOR RELATIONS)**UNIVERSITY OF WASHINGTON**

- Employment needs commission authorized: HB 206
- High-technology center: HB 869, \*2SSB 3155, CH 72 E1 (1983)
- Museum, sunset termination: HB 493, \*SHB 493, CH 197 (1983)
- Operating fee category to be established and administered: HB 248, SHB 248
- Operating fees to be used solely for schools: HB 299
- Prioritize, eliminate duplication, stress science: HCR 8
- Resource management account fund transfer to maintain positive balance: HB 470, \*SHB 470, CH 17 E1 (1983)

**UNIVERSITY OF WASHINGTON—cont.**

Self-sustaining educational programs: SHB 248

Teacher training, pilot project, compensate supervisors of prospective teachers:  
SHB 876

Tuition and fees modified: HB 248, SHB 248

**UNIVERSITY OF WASHINGTON BOARD OF REGENTS**

Gordon C. Culp, member: GA 29, confirmed . . . . . pp. 26, 479, 599

Edward E. Carlson, member: GA 28, confirmed . . . . . pp. 26, 2282, 2283

**UTILITIES AND TRANSPORTATION COMMISSION**

Mary D. Hall, member: GA 63 . . . . . pp. 33, 531

Anthony J. Pardini, member: GA 74 . . . . . pp. 47, 532

Attorney general representation at hearings, consultants may be hired: HB 709

Cable television regulated: HB 578

Consumer utility board: HB 563, SHB 563

Courier services of 100 pounds or less exempt: HB 877

District heating, operating permits for heat supplier: HB 114, \*SHB 114, CH 94  
(1983), SSB 3225

Electric PUDs, tax credit for senior citizen reduced rate: HB 279

Excursion service companies regulated: SSB 3758

Garbage trucks, weight limits, excess limits may not use interstate system: \*SB  
3076, CH 68 (1983)

Hazardous materials exempt from motor freight carrier law: HB 819

Hearing notification: HB 709

Low-income utility rate rules to be adopted: SHB 550

Motor carrier safety and weight regulation consolidated in WSP: HB 819

Multistate highway transportation agreement: \*SB 3282, CH 82 (1983)

Railroad crossings, reflectorized whistle post: HB 96

Railroad track motor car yellow or orange flashing warning light: HB 204

Railroads, occupied cabooses on class I freight trains: HB 135

Statutory corrections, obsolete references: \*SB 3038, CH 4 (1983)

Tariff changes, notice of hearings: HB 709

Vehicle size, load restrictions, conformity with federal standards: HB 769, \*SB  
4112, CH 278 (1983)

Weight control division of WPS transferred to WUTC: HB 837

**UTILITIES (See also WPPSS)**

Annexation by public utility districts: \*SHB 323, CH 101 (1983)

City-owned, in county, taxed at true and fair value: HB 654

Conservation analyses and financing authorized by electricity providers: HB 366,  
\*SHB 366, CH 62 (1983), SSB 3256

Consolidation and annexation of public utility districts: HB 323

Consumer utility board: HB 563, SHB 563

Debts, electric utilities, nuclear, debt recovery: HB 846

District formation procedures: \*HB 753, CH 303 (1983)

Economic development areas established: HB 917

Electric distribution political subdivisions may establish heating systems: HB 113,  
SHB 113, \*SB 3224, CH 216 (1983)

Electric energy contracts by cities, cannot commit beyond express dollar  
amount: \*SHB 865, CH 308 (1983)

Electric energy contracts by cities, do not commit beyond local purpose: HB 865

Electric generating project financing (Merwin Dam): HB 838

Electric, tax credit for senior citizen reduced rate: HB 279

Electrical utilities, conservation credits, model conservation standards: HB 930

Electricity tax, additional tax, expiration date removed: HB 52

Energy efficiency financing: HB 883

Handicapped, rates reduced: HB 550

Hot water heater thermostat setback: HB 177, \*SHB 177, CH 178 (1983), SSB 3277

Hydroelectric development, irrigation districts and cities or public utility districts:  
\*SSB 3511, CH 47 (1983)

Joint operating agency, default is unlawful: HB 892

Low-income rates may be adopted: SHB 550

**UTILITIES—cont.**

- Meter tampering is theft: HB 921, SHB 921
- Municipal electric, privilege tax: HB 913, HB 923
- Operating agency board directors, compensation: \*SSB 3266, CH 3 E1 (1983)
- Poles, regulation of attachments: SSB 3183
- Public improvement boundaries for tax purposes: HJR 28, HJR 32, SSJR 119
- PUD commissioner immunity: HB 898
- Railroad rights of way, mapped, used exclusively for transportation: HB 376
- Senior citizen reduced electric rates, utilities to receive tax credit: HB 279
- Service installation charge, customer may contract privately: \*SB 3392, CH 217 (1983)
- Taxation, additional tax, expiration date removed: HB 52
- Taxation and assessment, annual report due date extension: SB 3262
- Thermal power plant site certification, additional consideration: HB 623
- Underground utilities, damage procedures: HB 857
- Uniform unclaimed property act enacted: HB 179, \*SHB 179, CH 179 (1983)
- WPPSS decisions of participants, immunity: \*HB 1094, CH 48 E1 (1983)
- WPPSS executive board membership modified: \*SSB 3266, CH 3 E1 (1983)
- WPPSS executive board salaries: \*SSB 3266, CH 3 E1 (1983)
- WPPSS financial resolution called for: HJM 11, SCR 107
- WPPSS, investigate beneficial statutory changes: HFR 91

**VESSELS (See NAVIGATION: SHIPS)****VETERANS AFFAIRS**

- Advisory committee membership increased: HB 858, \*SB 3221, CH 34 (1983)
- Agent orange problem: HFR 50
- License plates, permanently unemployable: HB 868, \*SHB 868, CH 230 (1983)
- Llewellyn M. Chilson, posthumous bestowal of congressional medal: HFR 60
- Memorial parks and cemeteries for state veterans: HB 575
- MIA return: HJM 31
- POWs and MIAs: HFR 48
- Rehabilitation services may be contracted: HB 632
- Relief fund: HB 576, \*SHB 576, CH 295 (1983), SSB 4259
- Veteran services may be contracted: \*SSB 3595, CH 260 (1983)
- Veteran's home loan financing program established: HB 186
- Vietnam veterans, tuition increase exemption: HB 848

**VETERANS AFFAIRS, DEPARTMENT OF**

- Randy S. Fisher, director: GA 4, confirmed . . . . . pp. 22, 107, 144

**VETERANS OF FOREIGN WARS**

- Commander in chief, James R. Currieo and dignitaries introduced and addressed senate . . . . . p. 267

**VETERINARIANS**

- Animal technician, examination by veterinary board of governors: \*HB 357, CH 102 (1983)
- Board of veterinary governors, staff, and duties for investigations: HB 357
- Disciplinary action, vets and technicians: \*HB 357, CH 102 (1983)
- License renewal fees: \*HB 357, CH 102 (1983)
- State veterinarian: SB 3297

**VETERINARY BOARD OF GOVERNORS**

- Sunset audit . . . . . p. 131

**VICE PRESIDENT PRO TEMPORE (SEE ALSO A. L. "SLIM" RASMUSSEN)**

- A. L. "Slim" Rasmussen, nominated and elected . . . . . p. 5

**VICTIMS (See CRIME VICTIMS COMPENSATION)****VITAL STATISTICS (See SOCIAL AND HEALTH SERVICES, DEPARTMENT OF)****VOCATIONAL EDUCATION**

- David C. Semerad, member: GA 64 . . . . . p. 33
- Agricultural education program: \*HB 570, CH 34 E1 (1983)

**VOCATIONAL EDUCATION—cont.**

- Commission on vocational education, sunset termination: HB 493, \*SHB 493, CH 197 (1983)
- Correctional program products, auction provision removed: SB 3528
- Evergreen state skill corporation: HB 231, SHB 231
- Fire service training account created from insurance premiums tax: HB 641
- Fire service training program: \*2SHB 231, CH 21 E1 (1983)
- Fire service training purposes: HB 447
- Industrial training in the community colleges: HB 662
- Job skills program: \*2SHB 231, CH 21 E1 (1983)
- Training fund program established: HB 308

**VOCATIONAL REHABILITATION (See LABOR AND INDUSTRIES, DEPARTMENT OF)****VOGNILD, SENATOR LARRY L.**

- Oath of office ..... p. 2
- Appointed member, commerce and labor, natural resources and transportation committees ..... p. 33
- Point of order, referendum is placed on bill with emergency clause ..... p. 446
- Parliamentary inquiry, legitimacy of amendment ..... p. 467
- Point of order, SB 3636 ..... p. 843
- Remarks, dispute bills ..... p. 1710
- Point of inquiry, tightening amendment ESSB 3434 ..... p. 2293
- Appointed interim committee member senate oversight committee on fire protection ..... p. 2429
- Remarks, tribute to Senator Henry M. Jackson, SFR 123 ..... p. 2439

**VOLCANOES (See MT. ST. HELENS)****VON REICHBAUER, SENATOR PETER**

- Oath of office ..... p. 2
- Appointed member, education, natural resources and transportation committees ..... p. 33
- Point of order, senate rules ..... p. 1394
- Appointed interim member legislative transportation committee ..... p. 2428

**VOTING (See ELECTIONS)****VYNNE, EUSTACE "SUNNY", JR.**

- Member, state parks and recreation commission: GA 81 ..... p. 148

**WADE, ANNE M.**

- Member, board of trustees for Tacoma community college district no. 22: GA 61, confirmed ..... pp. 32, 2282, 2283

**WALDO, JAMES C.**

- Member, board of trustees for western Washington university: GA 40, confirmed pp. 28, 479, 597, 1996, 2020

**WALDT, LAWRENCE G.**

- Member, gambling commission: GA 10 ..... p. 23

**WALL, WILLIAM E.**

- Member, WPPSS executive board of directors: GA 66 ..... p. 33

**WALLA WALLA COMMUNITY COLLEGE DISTRICT 20, BOARD OF TRUSTEES**

- Adair F. Runstad, member: GA 60 ..... p. 32
- David Justice, member: GA 85 ..... pp. 152, 2306

**WARNKE, SENATOR FRANK J.**

- Oath of office ..... p. 2
- Appointed member, education, financial institutions and ways and means committees ..... p. 33
- Remarks, cut-off time SSB 3608 ..... p. 930

**WARNKE, SENATOR FRANK J.—cont.**

Appointed interim member, legislative advisory committee on state government organization ..... p. 2429

**WARREN, F. GEORGE**

Member, state board of community college education:  
GA 75 ..... pp. 99, 2306

**WASHINGTON PUBLIC POWER SUPPLY SYSTEM (See WPPSS)****WASHINGTON STATE UNIVERSITY**

Employment needs commission authorized: HB 206  
Endrin alternative study: SB 4079  
George Raveling and Cougars commended: HFR 69  
High-technology state-wide off-campus telecommunications system: HB 869,  
\*2SSB 3155, CH 72 E1 (1983)  
Intercollegiate center for nursing, employee fee waiver: \*SB 3448, CH 220 (1983)  
Operating fee category to be established and administered: HB 248, SHB 248  
Operating fees to be used solely for schools: HB 299  
Prioritize, eliminate duplication, stress science: HCR 8  
Self-sustaining educational programs: SHB 248  
Small business assistance coordinating council: HB 689, SHB 689  
Southwest Washington joint center for education, technology training: HB 869,  
\*2SSB 3155, CH 72 E1 (1983)  
Tuition and fees modified: HB 248, SHB 248

**WASTE DISPOSAL**

County solid waste facilities, exemption from municipal tax removed: HB 48  
Electric generation by municipal corporations: HB 710  
Solid waste advisory committee: HB 712, 2SSB 3722  
Solid waste facilities, located within city, county to reimburse for use: HB 44, \*SHB  
44, CH 171 (1983)  
Storm water control facilities, public entities to pay rates and charges: \*SHB 1093,  
CH 315 (1983)  
Storm water facilities, state to pay rates and charges if rates established: HB 601  
Waste treatment plant certification: HB 485

**WATER**

Aquifer, protection and regulation: HB 364  
Discharge into marine waters, permit conditions: HB 475, SHB 475  
Ditches, regulation of across highways, sunset termination: HB 493, \*SHB 493, CH  
197 (1983)  
East Selah reregulating reservoir: \*HB 595, CH 18 E1 (1983)  
Fish passages, reclamation projects: HB 582  
Ground water, aquifer protection and regulation: HB 364  
Ground water rights, priority as to wells: HB 365  
Hot water heater thermostat setback: HB 177, \*SHB 177, CH 178 (1983), SSB 3277  
Hydraulic projects, plans no longer required, approval by departments to be  
reasonably given: HB 801, SSB 3154  
Hydraulic projects, renew within certain time or deemed okay: HB 794, HB 801  
Marine exploration of oil and gas, permit required: HB 95, \*SHB 95, CH 138 (1983)  
Marine transportation benefit area authority: HB 464  
Nisqually Delta and Sequim Bay retained on sanctuaries list: HB 686  
Pollution authority of DOE modified: \*SB 3674, CH 270 (1983)  
Pollution control act, references changed to clean water act: HB 292  
Public waters, permits for use: HB 582  
Puget sound water quality authority established: \*SSB 3156, CH 243 (1983)  
Reclamation act duties modified: HB 583, SHB 583  
Sole-source aquifer matching funds, future program authority, DOE: \*SB 3674, CH  
270 (1983)  
Sole-source aquifers, funds for protection: \*SSB 3664, CH 269 (1983)  
Stemilt creek drainage water supply facilities: HB 881  
Stormwater purposes, flood control zone authorized to handle: HB 462  
Street vacation, salt or fresh water: HB 820

**WATER—cont.**

- Waste treatment plant certification: HB 485
- Water management improvement act: HB 582
- Water supply facilities appropriation: HB 881
- Water supply operators, certification changes: HB 548, \*SHB 548, CH 292 (1983), SSB 3395
- Water well construction complaints, file with department of ecology: \*HB 112, CH 93 (1983)
- Water well construction examining board sunset review: HB 39, \*SHB 39, CH 27 E1 (1983)
- Withdrawn by U.S., retain in special status for allocation: HB 582
- Yakima river basin hydroelectric development: SSB 3873

**WATER DISTRICTS**

- Contracting procedures, increases award amount for small works roster: \*HB 78, CH 38 (1983)
- Electric generation by municipal corporations: HB 710
- Hook up fees, cities may charge property owners equitable share: HB 79, SHB 79
- Low-income rates, may delay, adjust, eliminate: \*HB 520, CH 198 (1983)
- Meter tampering is theft: HB 921, SHB 921
- Small works roster contracting limits: \*HB 78, CH 38 (1983)
- Special purpose districts, implied and expressly granted powers: HB 728
- Storm water control facilities, public entities to pay rates and charges: \*SHB 1093, CH 315 (1983)
- Storm water facilities, state to pay rates and charges if rates established: HB 601
- Surface or storm water, public improvements to lessen damage: \*SHB 1093, CH 315 (1983)
- Treasurers, may be appointed by district commissioners: \*HB 111, CH 57 (1983)
- Water supply operators, certification changes: HB 548, \*SHB 548, CH 292 (1983), SSB 3395

**WATKINS, JACK, JR.**

- Member, board of trustees for  
Fort Steilacoom community college district no. 11: GA 51, confirmed . . . pp. 30, 481, 601

**WATSON, NORMA JEAN**

- Member, board of trustees for Big Bend  
community college district no. 18: GA 100 . . . . . p. 580

**WEATHERIZATION (See ENERGY)****WEEDS (See AGRICULTURE)****WEIS, NANCY L.**

- Member, board of trustees for Everett community  
college district no. 5: GA 46, confirmed . . . . . pp. 29, 480, 599

**WENATCHEE COMMUNITY COLLEGE DISTRICT NO. 15, BOARD OF TRUSTEES**

- J. H. "Jack" Blosser, member: GA 54, confirmed . . . . . pp. 31, 482, 601

**WESTERN WASHINGTON UNIVERSITY, BOARD OF TRUSTEES**

- Irwin J. LeCocq, member: GA 39, confirmed . . . . . pp. 28, 479, 1996
- James C. Waldo, member: GA 40, confirmed . . . . . pp. 28, 479, 1996, 2020

**WEZA, I. A. TONY**

- Member, public disclosure commission:  
GA 86, confirmed . . . . . pp. 152, 1304, 1996, 2020

**WHATCOM COMMUNITY COLLEGE DISTRICT 21, BOARD OF TRUSTEES**

- Mabel E. "Mickey" Roberts, member:  
GA 80, withdrawn . . . . . pp. 147, 2306

**WHATCOM COUNTY**

- Flooding disaster areas, asking President to give federal assistance: HJM 9

**WHEAT QUEEN, WASHINGTON STATE**

Theresa Marie Cochran, introduced and addressed senate . . . . . p. 338

**WHEEL CHAIRS (See HANDICAPPED)****WHEELER, MARC**

Member, board of trustees Centralia community college district no. 12: GA 109 p. 905

**WHITE, WALTER E.**

Member, personnel appeals board: GA 72, confirmed . . . . . pp. 46, 307, 431

**WILDLIFE (See GAME, DEPARTMENT OF)****WILKERSON, WILLIAM R.**

Director, department of fisheries: GA 105 . . . . . p. 705

**WILLIAM O. DOUGLAS TRAIL (See RAILROADS)****WILLIAMS, SENATOR AL**

Oath of office . . . . . p. 2  
 Appointed member, commerce and labor, energy and utilities, judiciary and parks and ecology committees . . . . . p. 33  
 Statement for the journal, vote on 2SSB 3085 . . . . . p. 754  
 Point of order, what's the issue . . . . . p. 829  
 Point of order, EHB 2 . . . . . p. 1275  
 Appointed interim committee member energy advisory council and energy and utilities joint committee . . . . . p. 2428

**WILLIAMS, STATE SUPREME COURT JUSTICE WILLIAM H.**

Escorted to the rostrum . . . . . p. 1  
 Introduced . . . . . p. 3  
 Administered oath of office . . . . . pp. 3, 4

**WILLS**

Creditor claims against deceased person, 4 month filing period: \*HB 643, CH 201 (1983)  
 Statutory will adopted: HB 684

**WILSON, MAJEL A.**

Member, board of trustees for Edmonds community college district no. 23: GA 62, confirmed . . . . . pp. 32, 2305, 2327

**WINE (See ALCOHOL; LIQUOR CONTROL BOARD)****WIRETAPS (See SURVEILLANCE)****WITTMAN, PHILLIP R.**

Appointed member, board of prison terms and paroles: GA 110, confirmed . . . . . pp. 1305, 1369, 1498, 1996, 2150

**WOJAHN, SENATOR R. LORRAINE**

Appointed member, commerce and labor, financial institutions, rules and ways and means committees . . . . . p. 33  
 Appointed interim committee member, LEAP . . . . . p. 2428

**WOOD AND WOOD PRODUCTS (See NATURAL RESOURCES, DEPARTMENT OF)****WOODY, SENATOR DIANNE**

Appointed member, judiciary, local government, rules and ways and means committees . . . . . p. 34  
 Parliamentary inquiry, time of passage SB 3182 . . . . . p. 1615

**WORK**

Civilian conservation corps called for: HJM 15  
 Community development finance corporation established: HB 213, SHB 213  
 Comparable worth in salary schedules: \*SSB 3248, CH 75 E1 (1983)  
 Conservation corps: HB 330

**WORK—cont.**

- Conservation corps established within many agencies: \*2SSB 3624, CH 40 E1 (1983)
- Displaced workers: SHB 1051
- Economic development and job creation, emergency commission: HCR 6, SHCR 6
- Economic equity act, equality for women: HJM 16
- Employment and conservation corps: HB 251
- Employment application fees prohibited: HB 839
- Employment stabilization, employers give one year notice prior to layoffs: HB 694
- Evergreen state skill corporation: HB 231, SHB 231
- Firewood distribution project: HB 212
- Foodstamps, workfare program: HB 7
- Hazardous substances, employer duties: HB 863, SHB 863
- High technology in south Puget Sound: HB 565, SHB 565
- Industrial training in the community colleges: HB 662
- Industry and job retention study: HCR 27
- Injured workers, lay-off, suspend, discharge, limitations: HB 724
- Injured workers, vocational rehabilitation, reemployment encouraged: \*HB 25, CH 86 (1983)
- Injury resulting from employer violations, exemplary damage: HB 729
- Injury resulting from employer violations, recovery shared: HB 729
- Job applications exempt from public disclosure: HB 899
- Job legislation requested: HJM 27
- Job skills program: \*2SHB 231, CH 21 E1 (1983)
- Job training and partnership act, job loss: SHB 1051
- Jobs again council: SB 3850, SB 3981
- Labor-management relations act, avoid industrial strife: HB 782
- Lie detector tests as conditions of employment: HB 449
- Minority and women-owned businesses, participation enhanced: HB 163, SHB 163, \*2SSB 3230, CH 120 (1983)
- National worker impact policy: HJM 22
- Overtime, mandatory prohibited: HB 490
- Overtime work, conditions of employment: HB 456
- Part-time work, unemployment compensation: HB 195, HB 246, \*SSB 3087, CH 207 (1983)
- Personnel files, employee access provided: HB 446
- Private sector job placement program: SB 3850
- Public assistance recipients, employers receive tax credit: HB 871
- Sexual orientation, may not discriminate: HB 556
- Shared work benefits, reduced work week unemployment compensation: HB 195, HB 246, \*SSB 3087, CH 207 (1983)
- Small business improvement council: SSB 3982
- State business and job creation, commission created: HCR 7
- Telephone conversations of employees may not be recorded: HB 451
- Training fund program established: HB 308
- Unfair labor practices described: HB 782
- Work incentive demonstration project proposal: HB 897
- Work release programs: HB 572
- Workfare program, participation by food stamp recipients required: HB 7
- Youth conservation corps established: HB 65
- Youth employment exchange: \*SHB 251, CH 50 E1 (1983)
- Youth jobs program established: HB 324

**WORKERS' COMPENSATION (See LABOR AND INDUSTRIES, DEPARTMENT OF)****WPPSS**

Governor's message to joint session ..... p. 1808

**WPPSS (See also JOINT OPERATING AGENCIES)**

- Compensation, operating agency board directors: \*SSB 3266, CH 3 E1 (1983)
- Debts, recovered, rate increases for taxes: HB 846
- Default is unlawful: HB 892



**WPPSS—cont.**

- Electric energy contracts by cities, cannot commit beyond express dollar amount: \*SHB 865, CH 308 (1983)
- Electric energy contracts by cities, do not commit beyond local purpose: HB 865
- Energy financing voter approval act, repealed: HB 810
- Executive board membership modified: \*SSB 3266, CH 3 E1 (1983)
- Executive board, salaries: \*SSB 3266, CH 3 E1 (1983)
- Financial resolution called for: HJM 11, SCR 107
- Joint operating agency, default is unlawful: HB 892
- Joint session, message from governor: HCR 26
- Open public meetings: SHB 631, \*SSB 3266, CH 3 E1 (1983)
- Participating utilities, immunity: \*HB 1094, CH 48 E1 (1983)
- Plants 4 & 5 to be sold: HB 834, SHB 834
- Statutory changes, investigate beneficial: HFR 91
- Voter approval of financing, initiative 374, repeal: HB 810

**WPPSS EXECUTIVE BOARD OF DIRECTORS**

- Cornelius R. Duffie, member: GA 65 ..... p. 33
- William E. Wall, member: GA 66 ..... p. 33
- C. Michael Berry, member: GA 67 ..... p. 33

**WRONGFUL BIRTH (See HEALTH CARE AND SERVICES)****YAKIMA COMMUNITY COLLEGE DISTRICT 16, BOARD OF TRUSTEES**

- Dan W. Stephens, member: GA 55, confirmed ..... pp. 31, 482, 602

**YAKIMA RIVER**

- East Selah reregulating reservoir: \*HB 595, CH 18 E1 (1983)
- Hydroelectric development: SSB 3873
- R.C. Bremmer Bridges, I-182, Yakima River: HFR 86

**YOUTH CONSERVATION CORPS (See WORK)****ZIMMERMAN, SENATOR HAL**

- Appointed member, local government, state government and ways and means committees ..... p. 34
- Personal privilege, Irish background ..... p. 290
- Statement for the journal ..... p. 366
- Remarks, SSB 3614 ..... p. 786
- Point of order, SHB 359 ..... p. 1164
- Motion to withdraw point of order ..... p. 1169
- Point of order, SSB 3490 ..... p. 1531
- Point of order, SB 3182 ..... p. 1620
- Appointed interim committee member, municipal research council, legislative budget committee, senate oversight committee on fire protection and legislative advisory committee on state government organization ..... pp. 2428, 2429

**ZOLOTH, ARTHUR M.**

- Appointed member, state board of pharmacy: GA 90 ..... pp. 248, 579

**ZONING (See LAND USE PLANNING)**

