

nities for them in the competitive labor market do not exist; or (2) providing evaluation and work adjustment services for handicapped individuals.

NEW SECTION. Sec. 3. There is added to chapter 15, Laws of 1961 and to chapter 82.04 RCW a new section to read as follows:

This chapter shall not apply to the gross sales or gross income received by nonprofit organizations from the operation of "sheltered workshops". For the purposes of this section, "sheltered workshops" mean rehabilitation facilities, or that part of rehabilitation facilities, where any manufacture or handiwork is carried on and which is operated for the primary purpose of (1) providing gainful employment or rehabilitation services to the handicapped as an interim step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market or during such time as employment opportunities for them in the competitive labor market do not exist; or (2) providing evaluation and work adjustment services for handicapped individuals.

Passed the House February 9, 1970
Passed the Senate February 6, 1970
Approved by the Governor February 20, 1970
Filed in Office of Secretary of State February 24, 1970

CHAPTER 82
[Engrossed House Bill No. 23]
CHILD AGENCIES--
ADOPTION--MEDICAL REPORTS

AN ACT Relating to child agencies; and adding a new section to chapter 150, Laws of 1935 and to chapter 26.36 RCW.

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

NEW SECTION. Section 1. There is added to chapter 150, Laws of 1935 and to chapter 26.36 RCW a new section to read as follows:

Every person, firm, society, association, or corporation receiving, securing a home for, or otherwise caring for a minor child shall transmit to the prospective adopting parent prior to placement and shall make available to all persons with whom a child has been placed by adoption a complete medical report containing all reason-

ably available information concerning said child. This report shall contain, but shall not be limited to, all reasonably available information which would indicate that the child is mentally deficient or physically impaired by reason of heredity, process of birth, disease, or any other cause, but said report shall not reveal the identity of the natural parents of the child.

For purposes of this section a person is mentally deficient who experiences difficulty in learning and in meeting the social and economic requirements of everyday living and is unable to effectively apply what he has learned without special training.

RCW 26.36.030 and RCW 26.36.060 shall not apply to any information made available by this section: PROVIDED, HOWEVER, That this section shall not apply to attorneys performing legal services in connection with adoptions.

Passed the House February 7, 1970

Passed the Senate February 6, 1970

Approved by the Governor February 23, 1970, with the exception of an item in section 1, which is vetoed.

Filed in Office of Secretary of State February 24, 1970

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

"...This bill requires that agencies and individuals responsible for placing adoption children with prospective adopting parents must make available to the adopting parents a complete medical report containing all reasonably available information concerning the child, including information which would indicate that the child is mentally deficient or physically impaired.

The bill attempts to define a mentally deficient person as one "who experiences difficulty in learning and in meeting the social and economic requirements of everyday living and is unable to effectively apply what he has learned without special training".

In recent years, the medical and social sciences have made significant progress in the treatment of mental deficiency and retardation. There is still much to be learned but it is becoming clear that old concepts in this field are often no longer meaningful. Specifically, I am advised that the definition as used in the bill fails to provide a meaningful legal standard for the measurement of mental deficiency. On the contrary, since the definition is a broad one it may well create more problems than it will solve. Therefore, it is my conclusion that it is appropriate to delete the definition from House Bill No. 23 and to allow the determination of men-

tal deficiency to be made by persons obliged to meet the requirements of this act or by any court which may be called upon to interpret the act.

With the exception of this item, the remainder of Engrossed House Bill No. 23 is approved."

CHAPTER 83
[House Bill No. 103]
JUSTICE COURTS--SMALL CLAIMS DEPARTMENT--
JURISDICTIONAL AMOUNT--NOTICES--APPEALS

AN ACT Relating to small claims departments of justice courts; amending section 1, chapter 187, Laws of 1919 as amended by section 1, chapter 123, Laws of 1965 *[1963] and RCW 12.40.010; amending section 4, chapter 187, Laws of 1919 as amended by section 9, chapter 263, Laws of 1959 and RCW 12.40.040; and adding new sections to chapter 12.40 RCW.

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

Section 1. Section 1, chapter 187, Laws of 1919 as amended by section 1, chapter 123, Laws of 1963 and RCW 12.40.010 are each amended to read as follows:

That in every justice court of this state there shall be created and organized by the (~~(justice-of-the-peace-thereof)~~) court a department to be known as the "small claims department of the justice's court" (~~(-which-shall-have-jurisdiction,-but-not-exclusive,-in-cases-for-the-recovery-of-money-only-where-the-amount-claimed-does-not-exceed-fifty-dollars)~~). If the justice court is operating under the provisions of chapters 3.30 through 3.74 RCW, the small claims department of that court shall have jurisdiction, but not exclusive, in cases for the recovery of money only where the amount claimed does not exceed two hundred dollars. If the justice court is not operating under the provisions of chapters 3.30 through 3.74 RCW, the small claims department of that court shall have jurisdiction, but not exclusive, in cases for the recovery of money only where the amount claimed does not exceed one hundred dollars.

NEW SECTION. Sec. 2. There is added to chapter 12.40 RCW a new section to read as follows: