

or she is financially able, bear the costs of such legal service; otherwise such legal service shall be at public expense. The person whose commitment or recommitment is sought shall be informed of his or her right to be examined by a licensed physician of his or her choice. If the person is unable to obtain a licensed physician and requests examination by a physician, the court shall employ a licensed physician.

(11) A person committed under this chapter may at any time seek to be discharged from commitment by writ of habeas corpus in a court of competent jurisdiction.

(12) The venue for proceedings under this section is the county in which person to be committed resides or is present.

Passed the Senate April 20, 1987.

Passed the House April 16, 1987.

Approved by the Governor May 18, 1987, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State May 18, 1987.

Note: Governor's explanation of partial veto as follows:

"I am returning herewith, with out my approval as to a portion of section 10(6), Engrossed Second Substitute Senate Bill No. 5074 entitled:

"AN ACT Relating to mental health."

I support the revisions of the involuntary commitment procedures. They will provide a more comprehensive approach to the treatment of mentally-ill adults in intensive and less restrictive settings.

However, the last sentence of section 10(6) which reads "In the event of a revocation of a less restrictive alternative treatment, the subsequent treatment period may be no longer then fourteen days", will cause the subsequent treatment period after a revocation to be restricted.

State hospitals would be required to file a new ninety day petition for persons whose original involuntary treatment plan was revoked and who require care beyond the fourteen day period. This would create a significant workload. Additionally, it would require a duplicative hearing process by mandating that a hearing on the new treatment plan be held in addition to the hearing revoking the existing plan.

With the exception of a portion of section 10(6), Engrossed Second Substitute Senate Bill No. 5074 is approved."

CHAPTER 440

[Substitute House Bill No. 418]

CHILD SUPPORT SCHEDULE COMMISSION

AN ACT Relating to child support; creating new sections; providing an expiration date; and declaring an emergency.

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

NEW SECTION. Sec. 1. (1) A child support schedule commission is established. The commission shall recommend a child support schedule and propose changes in the schedule to the legislature no later than November 1, 1987.

(2) The commission shall be composed of the secretary of social and health services or the secretary's designee and nine other members. Seven members shall be appointed by the governor as follows: (a) A superior court judge; (b) a representative from the state bar association; (c) an attorney representing indigent persons in Washington; (d) two other persons who have demonstrated an interest or expertise in the study of economic data or child support issues, one of which shall be a non-custodial parent; and (e) two public members who represent the affected populations, one of which shall be a non-custodial parent. Two members shall be the administrator for the courts or his or her designee and the attorney general or his or her designee. In making the appointments, the governor shall seek the recommendations of the association of superior court judges in respect to the member who is a superior court judge; and of the state bar association in respect to the state bar association and indigent attorney representatives.

(3) The secretary of social and health services or the secretary's designee shall serve as chairman of the commission.

(4) The secretary shall serve on the commission during the secretary's tenure as secretary of social and health services. In the event of a vacancy, the appointing authority shall designate a new member to complete the remainder of the unexpired term.

(5) Commission members shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(6) The office of support enforcement shall provide clerical and other support to the commission to enable it to perform its functions.

(7) The commission shall invite public participation and input, particularly from persons who are affected by child support orders.

NEW SECTION. Sec. 2. (1) The child support schedule commission shall propose a child support schedule to the legislature no later than November 1, 1987.

(2) The commission shall set the child support schedule and recommended revisions based upon:

(a) Updated economic data which accurately reflects family spending and child rearing costs for families of different sizes and income levels in the state of Washington;

(b) Appropriate adjustments for significant changes in child rearing costs at different age levels;

(c) The need for funding of the child's primary residence by a payment which is sufficient to meet the basic needs of the child;

(d) Provisions for health care coverage and, when needed, child care payments; and

(e) The support amount shall be based on the child's age, the parent's combined income, and the family size. Family size shall mean all children for whom support is to be established.

(3) The commission shall establish standards for applying the child support schedule. Included in these standards shall be:

(a) The type, net or gross, and sources of income on which support amounts shall be based;

(b) Provisions for taking into account the voluntary unemployment or underemployment of one or both parents or if the income of a parent is not known;

(c) Provisions for taking into account a parent whose income varies; and

(d) Provisions for taking into account the differing cost of living in the various counties in this state.

NEW SECTION. Sec. 3. The superior court in each judicial district shall adopt a child support schedule by August 1, 1987.

NEW SECTION. Sec. 4. This act shall expire July 1, 1988.

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.

Passed the House April 22, 1987.

Passed the Senate April 16, 1987.

Approved by the Governor May 18, 1987.

Filed in Office of Secretary of State May 18, 1987.

CHAPTER 441

[Substitute House Bill No. 419]

PATERNITY ESTABLISHMENT SERVICES

AN ACT Relating to administrative establishment of paternity; amending RCW 74.20A-.280; creating new sections; and making an appropriation.

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

NEW SECTION. Sec. 1. The state of Washington through the department of social and health services is required by state and federal statutes to provide paternity establishment services. These statutes require that reasonable efforts to establish paternity be made, if paternity of the child is in question, in all public assistance cases and whenever such services are requested in nonassistance cases.

The increasing number of children being born out of wedlock together with improved awareness of the benefits to the child and society of having paternity established have resulted in a greater demand on the existing judicial paternity establishment system.

Sec. 2. Section 23, chapter 171, Laws of 1979 ex. sess. and RCW 74-.20A.280 are each amended to read as follows: